



C.R.P(MD)No.3138 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

C.R.P(MD)No.3138 of 2023

C.Karthikeyan

... Petitioner/Petitioner

Vs.

J.Sathya

... Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, for early disposal of H.M.O.P.No.75 of 2021 on the file of the Sub Court, Sankarankoil.

For Petitioner : Mr.A.Sivaji

ORDER

This Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Sankarankoil, to dispose of H.M.O.P.No.75 of 2021 within a time stipulated by this Court.



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2. In view of the relief sought for in this revision, notice to the respondent is dispensed with. This Civil Revision Petition is taken up for final disposal at the admission stage itself.

3. The learned counsel for the petitioner submits that the petitioner and the respondent are husband and wife and their marriage was solemnized on 17.09.2015. The petitioner herein has filed H.M.O.P.No.123 of 2020 before the Family Court, Srivilliputhur, for divorce. Pursuant to the order of this Court dated 05.03.2021 in Tr.C.M.P(MD)No.22 of 2021, the same was transferred to the file of the Sub Court, Sankarankoil and re-numbered as H.M.O.P.No.75 of 2021.

4. The learned counsel for the petitioner further submits that in H.M.O.P.No.75 of 2021, counter was filed on 23.09.2021 and the same is posted to 14.12.2023 for cross examination of P.W.2. The learned counsel for the petitioner would contend that the petitioner has to travel nearly 200 kms to attend hearing and the petitioner



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cannot avail leave often for attending the hearings and therefore, he is facing inconvenience in his employment and pendency of H.M.O.P leads to great mental agony to the petitioner.

5. The learned counsel for the petitioner submits that there are some other court proceedings also, which are consequential to the H.M.O.P proceedings. He would submit that the respondent is unnecessarily harassing the petitioner by getting adjournments in H.M.O.P proceedings and the respondent is dragging on the case. He prays for a direction for early disposal of H.M.O.P.

6. Heard the learned counsel for the petitioner and perused the records available on record.

7. Originally H.M.O.P was filed in the year 2020. The respondent has also filed counter in the year 2021. After completion of 3 years, the case is only posted for cross examination of P.W.2.



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8. Considering the facts and circumstances of the case, this Court is inclined to issue a direction to the court below in the interest of justice.

9. Accordingly, the Subordinate Judge, Sankarankoil, is directed to dispose of H.M.O.P.No.75 of 2021, within a period of **six months** from the date of receipt of a copy of this order.

10. In the result, this Civil Revision Petition is disposed of.

11. No costs.

01.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM

To,
1.The Sub Court, Sankarankoil.
2. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.



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BATTU DEVANAND, J.

CM

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