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Crp No.892 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.892 of 2024

D.Prabhu Thilaak

... Petitioner

Vs.

1. Shruthi Thilak
- 2 . Magesh Shanmuganathan
- 3 . R.Vinayaga Vishnu
- 4 . J.Shankar

... Respondents

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the III Additional Judge, Family Court, Chennai to dispose the HMOP No.1320/2023 and HMOP filed by the first respondent in SR No.6759/2023, which is yet to be numbered, on merits, within a time frame, as stipulated by this court.

For Petitioner : Mr.K.T.Ragavan

ORDER

This Civil Revision Petition has been filed to to direct the III Additional Judge, Family Court, Chennai to dispose the HMOP No.1320/2023 and HMOP filed by the first respondent in SR No.6759/2023, which is yet to be numbered, on merits, within a time frame., as fixed by this



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Court.

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2. The petitioner is the husband and the first respondent is the wife.

The petitioner has filed HMOP No.1320/2023 to dissolve the marriage solemnized between him and the first respondent. According to the petitioner, he is a senior medical doctor and the first respondent being an advocate and taking advantage of her profession, is misleading the procedural aspects and filed unwanted applications to prolong the matter. Further, the petitioner is facing untold harassments on the false complaint made by the first respondent and she has also filed another HMOP in SR No.6759/2023 against the petitioner. Hence, the trial court may be directed to dispose the above HMOP No.1320/2023 and also the unnumbered HMOP in SR No.6759/2023, within a time frame, as fixed by this court.

3. At this juncture, it is worthwhile to note that the ***Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharastra*** has dismissed the writ petition, by observing as follows.

“ We are of the view that since every High Court and every Court in the country has a huge pendency, the Constitutional Court should avoid temptation of fixing a time-bound schedule for disposal of any case, before any court, unless the situation is extra ordinary.”



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4. Further, pursuant to the direction of this Court, the Registry, on verification through e-filing, has reported that the total pendency of the Family Court, Chennai is 4306.

5. Considering the pendency of the cases and also taking into account that the matrimonial dispute is pending between the parties, the learned III Additional Judge, Family Court, Chennai is directed to dispose of the HMOP No.1320/2023 on merits, within four months from the date of receipt of a copy of this order.

6. With the above direction, the Civil Revision Petition is disposed of.
No costs.

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Index:Yes/No
Internet:Yes/No
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To

The III Additional Judge, Family Court, Chennai.



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V.SIVAGNANAM, J.

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