



CRP.No.5041 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.5041 of 2023

K.Narayanan	...	Petitioner
	Vs.	
M.Valliammal @ Revathy	...	Respondent

Prayer: Civil Revision Petition has been filed under Article 227 of Constitution of India to direct the learned IV Additional Family Judge, Chennai to expedite the proceedings of the case in H.M.O.P.No.1552 of 2017 pending on the file of the Learned IV Additional Family Judge, Chennai and conclude the same within the time frame that may be fixed by this Hon'ble Court.

For Petitioner : Mr. R.Sendhil Kumar

ORDER



CRP.No.5041 of 2023

WEB COPY

This civil revision petition has been filed to direct the learned IV Additional Family Judge, Chennai to expedite the proceedings of the case in H.M.O.P.No.1552 of 2018 pending on the file of the Learned IV Additional Family Judge, Chennai and conclude the same within the time frame that may be fixed by this Hon'ble Court.

2.The learned counsel appearing for the petitioner submitted that the marriage was solemnised on 11.02.2018. Due to misunderstanding, they were separated and the petitioner has filed H.M.O.P.No.1552 of 2018, in which, cross of PW1 was already over and Cross of respondent 's side is yet to be started. If the trial will not complete within reasonable time, he has to face irreparable loss and hardship. Hence, the petitioner by way of the present civil revision petition sought direction of this court to the Trial Judge to dispose the case within a stipulated time.

3.I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner and perused



CRP.No.5041 of 2023

WEB COPY

the material available on record.

4. On verification through e-filing, the total pendency of the trial Court is 4244. With regard to the speedy disposal of pending cases in the Court, the ***Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra*** held 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.”

5. Considering the pendency of the case before the trial Court and the decision of the Hon'ble Supreme Court ***in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharashtra***, no time bound order can be passed for disposal of the case. However, considering the fact that since the matter is pending from the year 2018 and it is a family dispute, this Court directs the learned IV Additional Judge, Family Court, Chennai, to dispose the



CRP.No.5041 of 2023

WEB COPY

case in H.M.O.P.No.1552 of 2018 as early as possible after affording an opportunity to both the parties.

6.With the above direction, the Civil Revision Petition is allowed.

No costs.

Index:Yes/No
Internet:Yes/No
sms

19.01.2024

To
The IV Additional Family Court, Chennai.

V.SIVAGNANAM, J.

sms



WEB COPY



CRP.No.5041 of 2023

CRP No.5041 of 2023

19.01.2024