



C.R.P.No.2354 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2354 of 2024

R.Raji

... Petitioner

Vs.

S.Ravishankar

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to direct the III Additional Family Court, Chennai, to fix the time limit to dispose the petition and expedite the trial as early as possible in O.P.No.3966 of 2018 pending on the file of the III Additional Family Court, Chennai.

For Petitioner : Ms.Sumathi Lokesh

ORDER

The petitioner, estranged wife of the respondent filed the above civil revision petition seeking speedy disposal of H.M.O.P.No.3966 of 2018 by the III Additional Family Court, Chennai.



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2.Since the prayer sought for by the petitioner is to the limited extent, notice to the respondents is dispensed with.

3.The contention of the learned counsel for the petitioner is that the marriage between the petitioner and the respondent took place on 03.11.1993 and out of their wedlock, two children born to them in the year 1994 and 2001. Thereafter, the petitioner was subjected to cruelty, the respondent left to Australia and South Africa where the respondent was infected with HIV due to his activities abroad. The petitioner suffered both physically and financially and also due to her daughter's health. Thereafter, the petitioner filed a petition in H.M.O.P.No.3966 of 2018 seeking divorce before the III Additional Family Court, Chennai. The petitioner filed an application seeking interim maintenance in I.A.No.1 of 2019. The Family Court by a detailed order dated 07.01.2020 directed the respondent to pay a sum of Rs.1,20,000/- per month towards maintenance and Rs.50,000/- towards litigation expenses. But the respondent failed to make payment by citing one reason or other. In the meanwhile, the respondent filed I.A.No.6 of 2022 in I.A.No.1 of 2019 in H.M.O.P.No.3966 of 2018 making some



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allegations about the manner in which the interim maintenance application was ordered. The Family Court by a reasoned order dismissed the petitions as not maintainable. Now the case is posted for evidence. The petitioner's apprehension is that the respondent might file more such petitions or make some representation to seek adjournment. Earlier twice the matter was referred to Lok Adalat and Mediation at various point of time, but the intention of the respondent is to protract the proceedings. On the conduct of the respondent in adopting dilatory tactics and protracting the proceedings, the above petition is filed.

4.Considering the submissions made and finding that the petition seeking divorce was filed in the year 2018 and almost 6 years passed by, and except in disposing one or other interim application, no substantial progress made in the main case, now the case is posted for evidence after 6 years. Hence, the Trial Court is directed to dispose of H.M.O.P.No.3966 of 2018 within a period of four months from the date of receipt of a copy of this order.



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5. With the above directions, the Civil Revision Petition stands disposed of. No costs.

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Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
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M.NIRMAL KUMAR, J.

cse

To

The _III Additional Family Court,
Chennai.

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