



C.R.P.No.2779 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

C.R.P.No.2779 of 2024

Rohit Raghuram

... Petitioner

Vs.

Mythili Venkatesan

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to give appropriate and suitable directions to the IV Additional Judge, Family Court at Chennai for speedy disposal of O.P.No.5372 of 2022 pending on the file of the IV Additional Judge, Family Court at Chennai.

For Petitioner : Ms.Jayashree Narasimhan

ORDER

The petitioner filed this civil revision petition seeking speedy disposal of the restitution of conjugal rights petition filed by the petitioner in O.P.No.5372 of 2022.

2.Since the prayer sought for by the petitioner is to the limited extent,



C.R.P.No.2779 of 2024

notice to the respondent is dispensed with.

WEB COPY

3.The learned counsel for the petitioner submitted that marriage between the petitioner and respondent solemnized on 29.06.2012 at Om Sakthi Karpagambal Hall, Thiruvendagam Street, Madaveli, Chennai. The respondent left the matrimonial home with the minor son in the month of May 2021 without any reasonable cause. Hence, the petitioner filed O.P.No.5372 of 2022 for restitution of conjugal rights in the year 2022. In O.P.No.5372 of 2022, after mediation the case posted on 24.04.2023, 19.05.2023, 01.06.2023, 27.07.2023, 18.08.2023, 19.09.2023, 30.10.2023 and 22.11.2023. On 23.11.2023 counter filed making allegations against the petitioner, rejoinder filed in I.A.No.2 of 2024. I.A.No.2 of 2024 allowed on 20.03.2024 and the rejoinder taken on file. Thereafter, the case posted on 02.04.2024 for 'Reply to Rejoinder'. On 23.05.2024, the petitioner present, but the respondent absent, reply to rejoinder not filed after several opportunities. On 12.06.2024, the respondent came forward with a petition under Section 7 of the Family Court Act to set aside the order, dated 23.05.2024 passed in O.P.No.5372 of 2022 and permit her to file reply to the rejoinder. Having deliberately kept quiet for nearly 4 to 5 hearings, the



respondent was absent herself on 23.05.2024 when the matter was finally posted for filing reply to the rejoinder. Despite giving several opportunities, reply to rejoinder not filed and the case posted for enquiry. Thus, the attitude of the respondent herein is quite clear and she is not interested in conducting the case and she is keen to drag the case unnecessarily and thereby harassing the petitioner.

4.The learned counsel further submitted that the petition for conjugal rights is of the year 2022 and the respondent is adopting all dilatory tactics to drag on the proceedings. To attend the case, the petitioner is forced to take leave often from official duties. Due to the act of the respondent, there is no possibility of the matter coming to an end in the near future. Hence, he seeks direction for speedy disposal.

5.Considering the nature of the petition and also considering that the petition is pending for more than two years, this Court directs the learned IV Additional Judge, Family Court at Chennai to dispose of O.P.No.5372 of



C.R.P.No.2779 of 2024

2022 within a period of four months from the date of receipt of a copy of this order.

6. With the above direction, this civil revision petition stands disposed of. No costs.

25.07.2024

Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Index: Yes/No
Internet: Yes

vv2

To

The IV Additional Judge,
Family Court at Chennai.



WEB COPY



C.R.P.No.2779 of 2024

M.NIRMAL KUMAR, J.

vv2

C.R.P.No.2779 of 2024

25.07.2024