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C.R.P.No.2898 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

**THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR**

**C.R.P.No.2898 of 2024**

Priyadarshini Chandrasekar

... Petitioner

Vs.

Vishnukanth Santhakumar

... Respondent

**PRAYER:** Civil Revision Petition has been filed under Article 227 of Constitution of India, 1950, praying to direct the VII Additional Family Court, Chennai to dispose of I.A.No.3 of 2023 in O.P.No.5217 of 2022 filed for interim maintenance under Section 24 of the Hindu Marriage Act, 1956 within a time frame that may be fixed by this Court.

For Petitioner : Mr.J.Saravana Vel

**ORDER**

This revision has been filed seeking a direction to the VII Additional Family Court, Chennai to dispose of I.A.No.3 of 2023 in O.P.No.5217 of 2022 filed for interim maintenance under Section 24 of the Hindu Marriage Act, 1956, within a time frame.



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2.The respondent husband filed O.P.No.5217 of 2022 seeking to annul the marriage solemnized between the petitioner and respondent dated 13.05.2022 on the ground of consent of the respondent/husband obtained by coercion. The respondent husband is presently stationed in USA and employed as Senior Lead Systems Architect. The respondent is now being represented by his mother/Power of Agent.

3.The learned counsel for petitioner submitted that after deserting the petitioner, the respondent failed to pay any maintenance. Hence, the petitioner filed I.A.No.3 of 2023 on 26.10.2023 seeking interim maintenance of Rs.1,50,000/- along with litigation expenses and other expenses. The respondent is working in USA and earning around Rs.10,00,000/- per month. The petitioner is unemployed, living at the mercy of her mother in Bangalore. She has to incur expenses for travelling all the way from Bangalore to Family Court, Chennai. The respondent represented by his mother, has been seeking time for one reason or other. Neither he filed any counter nor made any



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submissions in I.A.No.3 of 2023. He further submitted that on 06.02.2024, the case was posted to 19.03.2024 for filing counter. Thereafter, the case was adjourned to 26.04.2024, 30.05.2024, 19.06.2024 and 22.07.2024 for filing counter and Assets and Liabilities statement. But the counter is yet to be filed and the I.A. is kept pending without any progress. He further submitted that the respondent taking advantage of Power Agent/his mother representing him, not shown any interest in proceeding with the interim application and also the main O.P. In view of the same, the representation of mother/Power of Agent to be cancelled, since it is only acting against the interest of the petitioner and the purpose of speedy disposal of case in the Family Court. Hence, she filed this petition to direct the respondent to file Assets and Liabilities statement and counter and make his submissions.

4.Since it is only a limited prayer seeking direction to dispose of I.A.No.3 of 2023 in O.P.No.5217 of 2022 within the stipulated period, notice to the respondent not required. Hence, notice to the respondent dispensed with.



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5.Considering the submission made by the learned counsel for petitioner and on perusal of the adjudication copy, it is seen that the I.A. is pending from 19.03.2024 to till date for filing counter and Assets and Liabilities statement. In view of the same, this Court directs the VII Additional Family Court, Chennai to ensure that the respondent filed Assets and Liabilities statement and counter and make his submissions and thereafter to complete the proceedings in I.A.No.3 of 2023 in O.P.No.5217 of 2022, within a period of one month from the date of receipt of a copy of this order.

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

29.07.2024

Index : Yes/No  
Internet : Yes/No  
Speaking order/Non speaking order  
Neutral Citation : Yes/No  
rsi



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To  
The VII Additional Judge,  
Family Court, Chennai.



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**M.NIRMAL KUMAR, J.**

rsi

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