



C.R.P.No.4117 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 15..10..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Civil Revision Petition No.4117 of 2024

Yerabolu Shiva Abhiram Reddy

..... Petitioner

-Versus-

V.Sai Sumana

..... Respondent

Petition filed under Article 227 of the Constitution of India, praying to fix a time frame for the speedy disposal of original petition in O.P.No.55 of 2023 on the file of the Subordinate Judge at Katpadi, Vellore District.

For Petitioner : Mr.Srenik S.Jain

ORDER

This civil revision petition seeks for a direction for expeditious disposal of the proceedings in O.P.No.55 of 2023 pending on the file of the learned



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Subordinate Judge at Katpadi in Vellore District.

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2. Heard Mr.Srenik S.Jain for the civil revision petitioner.

3. A perusal of the papers shows that originally the civil revision petitioner had presented F.C.O.P.No.103 of 2022 on the file of the learned Judge, Family Court, Nellore District, Andhra Pradesh. On the intervention of the Supreme Court, the proceedings were transferred from the file of the learned Judge, Family Court, Nellore, Andhra Pradesh to the file of the learned Subordinate Judge, Katpati, Vellore.

4. Mr. Srenik S.Jain seeks for expeditious disposal of the proceedings since the original petition for divorce is pending at the stage of counter from 19.07.2023 onwards. He, however, fairly brings to the notice of this court that the respondent/wife has filed an application for interim maintenance in I.A.No.1 of 2024.

5. When an application for interim maintenance is pending, it would not be proper for this court to direct the disposal of the main proceedings. This is because, the wife is entitled to be maintained and for litigation expenses, in order to enable her to contest the main proceedings.



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6. Mr.Srenik S.Jain would submit that his client is yet to file his counter in I.A.No.1 of 2024. He adds that the case is listed on 24.10.2024. He assures this court that on that date the counter of the husband will be on record in the application filed for interim maintenance.

7. If that be the situation, there shall be a direction to the learned Subordinate Judge, Katpadi, Vellore, to dispose of the application in I.A.No.1 of 2024 (filed by the wife seeking interim maintenance) within a period of eight weeks from the date on which the pleadings are complete.

This Civil Revision Petition is disposed of accordingly with the above directions. No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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To

1.The Subordinate Judge, Katpadi, Vellore District.



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V.LAKSHMINARAYANAN.J.,

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