



CRP No.4161 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.10.2024

CORAM

THE HON'BLE MR.JUSTICE **V.LAKSHMINARAYANAN**

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S.Sriram

.. Petitioner

-VS-

R.Anuradha

.. Respondent

Prayer: Petition filed under Article 227 of the Constitution of India seeking a direction to V Additional Family Court Judge, Chennai, to conduct a joint trial of H.M.O.P.No.2519 of 2019 along with M.C.No.545 of 2019 and G.W.O.P.No.1890 of 2022 (pending before the V Additional Family Court Judge, Chennai).

For Petitioner : Dr.K.Santhakumari

For Respondent : Mr.S.Girish
for Mr.M.Karthikeyan

* * * * *



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ORDER

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This civil revision petition seeks for a joint trial to be conducted for three proceedings, namely, HMOP No.2519 of 2019, a divorce proceedings initiated by the husband; MC No.545 of 2019, a maintenance petition initiated by the wife; and GWOP No.1890 of 2022, a petition initiated by the husband again.

2. When the revision came up for admission, I called for a report from the learned V Additional Judge, Family Court, Chennai. The learned Judge sent a report dated 19.10.2024 stating that HMOP No.2519 of 2019 had been dismissed for default on 12.09.2023 and GWOP No.1890 of 2022 and MC No.545 of 2019 are still at the stage of completion of pleadings. Taking into consideration the report filed by the learned Judge, I requested Dr.K.Santhakumari to serve the entire papers on the counsel who represents the wife before the Family Court.



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3. Mr.M.Karthikeyan takes notice for the respondent/wife in the revision. Mr.Girish, who represents Mr.Karthikeyan, states that after the HMOP filed by the husband had been dismissed for default, the wife has filed a petition seeking divorce in HMOP No. 4008 of 2024. Dr.Santhakumari pleads ignorance about the said proceedings as summons have not been served on her client so far.

4. Mr.Girish further states that the wife has no objection to restore HMOP No.2519 of 2019, which had been dismissed on 12.09.2023.

5. In the light of the statement made by Mr.Girish and after hearing the arguments of Dr.Santhakumari, the following orders are passed:

(1) Since the respondent/wife has no objection to restore HMOP No.2519 of 2019, on 06.11.2024, which both sides agree as the next date of hearing, the learned trial Judge shall restore the HMOP back to her file.

(2) Dr.Santhakumari states that the counter in MC No.545 of



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2019 will be filed on 06.11.2024. Similarly, Mr.Girish undertakes that he will file his counter in GWOP No.1820 of 2022 on 06.11.2024. He also undertakes to serve the petition in support of HMOP No.4008 of 2024 on Dr.Santhakumari by tomorrow (29.10.2024) itself. A counter to the said petition will also be filed by the husband on 06.11.2024.

(3) This ensures that the pleadings will be completed on 06.11.2024 and the matter will be ready for framing of issues and further proceedings.

(4) Since, HMOP No.2519 of 2019, HMOP No.4008 of 2024, MC No. 545 of 2019 and GWOP No.1890 of 2022 all arise on the account of the matrimonial relationship that exists between the petitioner and the respondent, interest of justice requires that the proceedings are disposed of by one Judge, after hearing the arguments on behalf of all the parties.

(5) Therefore, once the pleadings are complete, the learned



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V Additional Family Court Judge at Chennai is requested to club all the four proceedings together and frame issues and dispose of the same within a period of nine months from the date of framing of the issues.

(6) I am giving these directions since the parties have been litigating from the year 2019 onwards.

The civil revision petition is, accordingly, disposed of. No costs.

28.10.2024

Index : Yes/No
Neutral Citation : Yes/No

sra

To

The V Additional Judge,
Family Court, Chennai.



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V.LAKSHMINARAYANAN, J.

(sra)

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