



CRP.No.5056 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated 19.01.2024**

**CORAM:**

**THE HONOURABLE MR.JUSTICE V.SIVAGNANAM**

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|                          |     |            |
|--------------------------|-----|------------|
| Naveen Lekshmi Narayanan | ... | Petitioner |
|                          | Vs. |            |
| Srividya Sreedharan      | ... | Respondent |

**Prayer:** Civil Revision Petition has been filed under Article 227 of Constitution of India to fix a time period for completion of entire trial in HMOP No.31 of 2021 on the file of the learned Subordinate Judge, Tambaram.

For Petitioner : Mr.R.Raman Laal

**ORDER**

This civil revision petition has been filed to fix a time period for completion of the entire trial in HMOP No.31 of 2021 on the file of the Subordinate Court, Tambaram.



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2.The learned counsel appearing for the petitioner submitted that the petitioner has filed a petition in HMOP No.31 of 2021 before the Subordinate Court, Tambaram, for divorce, against which, the respondent filed I.A.No.239 of 2021 for maintenance. The trial Judge ordered a monthly maintenance of Rs.6,000/- on 18.11.2022. From that date onwards, the petitioner paid maintenance without any delay. Further, the respondent filed CMA No.14 of 2023 against the order dated 18.11.2022 in I.A.No.239 of 2021 before the Principal Judge, Chengalpattu. The petitioner was examined as P.W.1 and it was posted for cross examination on 16.06.2023, from that date onwards, it is pending for cross examination. The respondent is deliberately not cross examining the petitioner and taking time deliberately in order to drag the matter. Hence, the petitioner by way of the present civil revision petition sought direction of this court to the Trial Judge to dispose of the case within a stipulated time.



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3.I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner.

4.On verification through e-filing, the total pendency of the trial Court is 637. With regard to the disposal of pending cases in the Court, the *Hon'ble Supreme Court in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharastra* held that “since every High Court and every Court in the country has a huge pendency, the constitutional court should avoid temptation of fixing a time-bound schedule for disposal of any case before any court unless the situation is extra ordinary.”

5.Considering the pendency of the case before the trial Court and the decision of the Hon'ble Supreme Court *in W.P.No.587/2023, dated 10.11.2023, in Shaikh Uzma Feroz Hussain Vs. The State of Maharastra*, no time bound order can be passed for disposal of the case. However, considering the fact that as it is a family dispute, this Court directs the learned Subordinate Judge, Tambaram, to dispose of



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the case in H.M.O.P.No.31 of 2021 as early as possible after affording an opportunity to both the parties.

6. With the above direction, the Civil Revision Petition is allowed.

No costs. Consequently, the connected miscellaneous petition, if any, is closed.

Index: Yes/No  
Internet: Yes/No  
sms

**19.01.2024**

**To**

The Subordinate Court, Tambaram.

**V.SIVAGNANAM, J.**

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