



Crp No.4717 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 19.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE V.SIVAGNANAM

CRP No.4717 of 2023

R.Saraswathy

... Petitioner

Vs.

K.Vijayakumar

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of Constitution of India to direct the learned Principal Subordinate Judge, Kancheepuram to dispose of the HMOP No.33/2021, within a stipulated time frame as fixed by this Court.

For Petitioner : Mr. D.Gopinathan

ORDER

This Civil Revision Petition has been filed to direct the learned learned Principal Subordinate Judge, Kancheepuram to dispose of the HMOP No.33/2021, within a stipulated time frame as fixed by this Court.



Crp No.4717 of 2023

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2. On perusal of the records, it shows that the petitioner herein has filed the above petition to annul the marriage between her and the respondent. Further, the case history shows that, on 09.12.2021, trial has been commenced and PW1 was examined. Subsequently, the matter was referred to Lok adalat and the case records were returned to the Court on 27.10.2022. Thereafter, PW1 was cross examined in full on 5.10.2023 and now, case is posted for further Petitioner side witness. In such circumstances, the petitioner sought direction of this court to the Trial Judge for speedy disposal of the case within a time frame.

3. At this juncture, it is worthwhile to note that 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*** has dismissed the writ petition, by observing as follows.

“ We are of the view 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.”

4. Further, pursuant to the direction of this Court, the Registry, on verification through e-filing, has reported that the total pendency of the above Court is 1442.



Crp No.4717 of 2023

WEB COPY

5. Considering the pendency of the cases and also taking note of the fact that family dispute is pending from the year 2021 among the parties, the learned Principal Subordinate Judge, Kancheepuram is directed to dispose of the HMOP No.33/2021, as early as possible.

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

19.01.2024

Index:Yes/No
Internet:Yes/No
mst

To

The Principal Subordinate Judge, Kancheepuram.



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Crp No.4717 of 2023

V.SIVAGNANAM, J.

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CRP No.4717 of 2023

19.01.2024