



C.R.P.No.347 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2024

CORAM

THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

Civil Revision Petition No.347 of 2024

S. Deivanai @ Sri Nandhini	...	Petitioner
	Vs	
V. Krishnan @ Kannappan	...	Respondent

Prayer: Civil Revision Petition has been filed under Article 227 of the Constitution of India to fix a stipulated time limit for the speedy disposal of the HMOP No.309 of 2023 on the file of the Subordinate Judge, Ambattur.

For Petitioner : Mr S. Panneer Selvan

ORDER

The present civil revision has been filed to fix a time limit for speedy disposal of HMOP No.309 of 2023 on the file of the Subordinate Judge, Ambattur.



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2. The learned counsel for the revision petitioner submitted that the marriage between the petitioner and the respondent took place on 14.06.2009 and they have one female child, namely, Hindumathi. The respondent and his family members brutally assaulted the petitioner and thereafter, she was forced to leave the matrimonial home and now the the petitioner is living separately at her parental house since 2014 along with her child Hindumathi. The respondent/husband filed HMOP No.256 of 2017 for divorce before the Sub Court, Poonamallee and thereafter, it was transferred to Subordinate Court, Ambattur in the year 2022 and the same was renumbered as HMOP No.309 of 2023 and it was pending without any progress. Hence, the petitioner by way of the present civil revision petition sought direction of this court to the Trial Judge to dispose the case within a stipulated time.

3. I have considered the matter in the light of the submission made by the learned counsel appearing for the petitioner and perused the material available on record.

4. With regard to the disposal of pending cases in the Court, the



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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 since the matter is pending for a long period, this Court directs the learned Subordinate Judge, Ambattur, to dispose the H.M.O.P.No.309 of 2023 within a period of nine months from the date of receipt of a copy of this order.

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

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Index: yes/no

Internet:yes/no
mrp

To

The Subordinate Judge,
Ambattur.



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V. SIVAGNANAM, J.

mrp

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