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C.R.P(MD)No.1257 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.07.2024**

CORAM

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.R.P(MD)No.1257 of 2024

R.Balaji Rajaram

... Petitioner/Petitioner

Vs.

K.A.Geetha

... Respondent/Respondent

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to expedite the enquiry proceedings and stipulated time may be fixed by this Court to dispose the H.M.O.P.No.901 of 2022 pending on the file of the Family Court, Madurai.

For Petitioner : Mrs.K.R.Shivashankari

For Respondent : Mr.V.Ramakrishnan

ORDER

The civil revision petition is filed praying for speedy disposal of H.M.O.P.No.901 of 2022.



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2. On a perusal of the material records of the case, it is seen that the respondent / wife had originally filed H.M.O.P.No.3 of 2016. The same was dismissed after trial and she has preferred C.M.A.No.800 of 2022. It is stated by the learned counsel appearing on behalf of the respondent / wife that she had filed an interlocutory application under Section 10 of the Code of Civil Procedure in the present H.M.O.P.No. 901 of 2022 to stay the proceedings pending the judgment in C.M.A.No. 800 of 2022.

3. Be that as it may, the prayer that is made is only speedy disposal. When the other application for divorce itself have been already disposed of after trial, the present H.M.O.P.No.901 of 2022 can also be disposed of expeditiously. However, the application for stay can also be taken up by the trial Court and it can be decided on merits. If the trial Court decides to proceed further, then the H.M.O.P can be decided in an expeditious manner. In view thereof, the learned Family Court, Madurai is directed to take up the H.M.O.P.No.901 of 2022 for expeditious disposal including the interlocutory applications and depending on the result in the interlocutory application filed by the respondent under



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Section 10 of the Code of Civil Procedure, shall dispose of the H.M.O.P as expeditiously as possible, in any event not later than one year from the date of receipt of the copy of this order.

4. In view of the above, this Civil Revision Petition is allowed. No costs.

30.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1.The Family Court,
Madurai.

2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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D.BHARATHA CHAKRAVARTHY,J.

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Order made in
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