



C.R.P.(MD) No.2807 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2024

CORAM

THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

C.R.P.(MD) No.2807 of 2024

Franklin Silvans Danison
S/o.Selwin Thomas

... Petitioner

Vs.

Angelin @ Angelin Mispa Sheela
D/o.Paulraj

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India praying to expedite the trial in D.O.P.No.30 of 2022 on the file of the Principal District Judge, Thoothukudi, within stipulated time as may be fixed by this Court.

For Petitioner : Mr.T.A.Ebenezer

ORDER

This Civil Revision Petition has been filed by the petitioner in D.O.P.No.30 of 2022 on the file of the Principal District Judge, Thoothukudi for the speedy disposal of the said D.O.P.



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2. Since this Civil Revision Petition filed by the petitioner is only for the speedy disposal of D.O.P., notice for the respondent is not required and is therefore dispensed with.

3. According to the petitioner, the petitioner filed D.O.P.No.30 of 2022 before the Principal District Court, Thoothukudi, under Section 10(1)(x) of the Divorce Act, 1869, for dissolution of the marriage solemnized between the petitioner and the respondent on 29.12.2016; during the pendency of the said D.O.P., the respondent filed D.O.P.No.73 of 2021 before the II Additional District Court, Thoothukudi, under Section 32 of the Divorce Act, 1869, for restitution of conjugal rights, which was dismissed for default on 16.02.2024, as the respondent remained *ex parte* before the said Court; the respondent also filed D.V.C.No.8 of 2021 before the Judicial Magistrate Court, Sathankulam, under Section 12 of the Protection of Women from Domestic Violence Act, 2005, and M.C.No.7 of 2022 before the same Court for maintenance, both of which are still pending.

4. It is submitted that the respondent is dragging on the D.O.P. filed by the petitioner without letting evidence on her side for more than one



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year after the petitioner's evidence was closed, and the D.O.P. has been pending for over two years without any further process, and due to the pendency of the said petition, the petitioner is facing difficulties at the hands of the respondent, and therefore, the petitioner has filed this Civil Revision Petition for the speedy disposal of the said D.O.P.

5. On perusal of the records and considering the facts and the circumstances of the case, the learned Principal District Judge, Thoothukudi, is directed to dispose D.O.P.No.30 of 2022 filed by the petitioner, without giving any unnecessary adjournments, expeditiously, within a period of six (6) months from the date of receipt of a copy of this order.

6. Accordingly, this Civil Revision Petition is disposed of. No cost.

07.11.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order
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Copy To:
The Principal District Judge,
Thoothukudi, Thoothukudi District.



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K.GOVINDARAJAN THILAKAVADI, J.

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