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C.R.P.No.1120 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.03.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.No. 1120 of 2025

&

C.M.P.No. 6596 of 2025

M.Giri Prakash

...Petitioner

Vs.

Prabuja Menta

...Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order passed in IA.No.1 of 2025 in HMOP.No.689 of 2024 dated 07.01.2025, before the Sub Court, Alandur.

For Petitioner : Mr. P.Padmashwari.



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ORDER

The petitioners have challenged the order passed by the Sub Judge, Alandur, in and by which the learned Judge has rejected the petitioner's request for advancing the hearing of HMOP.No.689 of 2024 from 09.06.2025 to an earlier date. The said petition was filed by the petitioners for mutually dissolving their marriage. From the petition it appears that the marriage between the petitioners had irretrievably broken down in the year 2017 and the petitioners are not living together as husband and wife.

2. The parties have a son aged 14 years and a daughter aged 11 years. The petitioners therefore decided to file a petition for dissolving the marriage under mutual consent and the same is numbered as HMOP.No.689 of 2024. The petition had come up for hearing on 16.10.2024. Thereafter, the matter has been posted on 09.06.2025 for recording evidence. Both parties have amicably decided to part ways.



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3. It is seen that the petition has been filed in the month of March 2024. Considering these factors the learned Judge ought to have allowed the application to waive the statutory period of 6 months without rejecting the same.

4. Taking notice of the fact that the petition for mutual consent has been filed into the Court in the month of March 2024 and taking note of the fact that the parties have been living separately for over 8 years, the Civil Revision Petition is allowed. The learned Sub Judge, Alandur, is directed to dispose of HMOP within a period of 3 weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

19.03.2025

Index : Yes/No
Internet : Yes/No



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To

The Sub Court, Alandur.



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P.T. ASHA, J,

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