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C.R.P.No.1751 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

C.R.P.No.1751 of 2025

Rajesh Balachandar

... Petitioner / Petitioner

Vs.

Sangeetha

... Respondent / Respondent

**Prayer** : Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the II Additional Judge, Family Court, Chennai, to expeditiously dispose of the petition for divorce in H.M.O.P.No.1336/2022 on the file of II Additional Judge, Family Court, Chennai.

For Petitioner : Mr.R.Rajarajan

**ORDER**

Seeking a direction to the II Additional Judge, Family Court, Chennai, to dispose of the HMOP.No.1336/2022, filed by the petitioner-husband for divorce at the earliest, the present revision is filed.



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2. According to the revision petitioner-husband, the matrimonial life between the petitioner and respondent was cordial only for a short time. Therefore, the husband had filed a petition for divorce in HMOP.No.3031 of 2016, which was later withdrawn based on the compromise entered between them. However, this re-union was short lived and again they got separated. The petitioner-wife had instituted a maintenance case in M.C.No.83 of 2020 and that came to be ordered and the respondent-husband is paying the maintenance regularly to his wife and daughter.

3. Be that as it may, the respondent-wife has filed a petition for restitution of conjugal rights in HMOP.No.5222 of 2021 on the file of II Additional Family Court, Chennai and the same is pending. Thereafter, the revision petitioner/husband had filed a petition for divorce in HMOP.No.1336 of 2022 and the respondent-wife remained absent on several hearings with an ulterior motive to drag on the proceedings, which is evident from the case diary filed along with this revision petition. It is the contention of the petitioner-husband that the respondent-wife is regularly attending the proceedings in HMOP.No.5222 of 2021 filed by her for



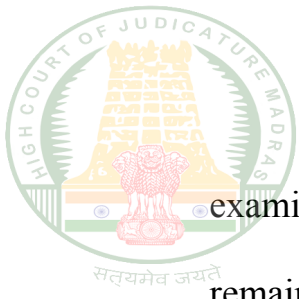
C.R.P.No.1751 of 2022

restitution of conjugal rights, however she neglects to attend the proceedings in HMOP.No.1336/2022 filed by the petitioner/husband.

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4. The petitioner has filed the case diary to establish how the respondent-wife has been reluctant in attending the proceedings in HMOP.No.1336 of 2022.

5. The case diary in HMOP.No.1336 of 2022 provides the details of litigation dates i.e., from 03.06.2022 to 21.03.2025, which runs to nearly 60 hearings, and on most of the hearings, the respondent-wife remained absent. Despite the directions of the learned Judge to appear on 19.07.2023, the respondent-wife did not appear and therefore the learned Judge has treated the cross-examination of the petitioner as closed. The respondent side evidence was posted on 02.08.2023 and even on that date, the respondent-wife remained absent. Thereafter, the respondent-wife appeared for chief examination on 11.08.2023, and for cross-examination on 20.09.2023. Subsequently, she remained absent on 11.01.2023, 27.10.2023, 22.01.2024 and 31.05.2024. Thereafter the respondent-wife had filed a petition on 22.07.2024 for recalling PW1 for cross-examination. The cross-



C.R.P.No.1751 of 2022

examination of P.W.1 was completed on 30.08.2024. Even thereafter, she remained absent on 4-5 occasions and therefore, the learned Judge had posted the case finally to 21.03.2025.

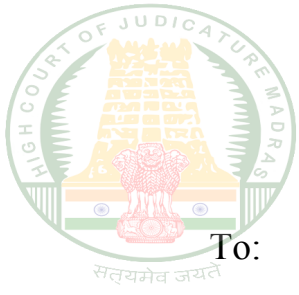
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6. Considering the fact that the divorce proceedings in HMOP.No.1336 of 2022 has been pending since 03.06.2022 and has not been concluded till date, there shall be a direction to the learned II Additional Judge, Family Court, Chennai to dispose of the HMOP.No.1336 of 2022, on or before 31.07.2025.

7. With the above direction, the revision petition is allowed. No costs.

**25.04.2025**

Index : Yes / No  
Internet : Yes / No  
Neutral Citation : Yes / No  
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C.R.P.No.1751 of 2022

To:

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- 1.The II Additional Judge  
Family Court, Chennai.
- 2.The Section Officer  
VR Section, High Court, Madras.



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C.R.P.No.1751 of 2025

P.T. ASHA, J,

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C.R.P.No.1751 of 2025

25.04.2025