



C.R.P.(PD)(MD)No.788 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.03.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.788 of 2025

Anusha

...Petitioner

Vs.

Mavelraj

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned Sub Judge, Tuticorin, to expedite the proceedings in H.M.O.P.(MD) No.46 of 2024, filed under section 13(1)(i a) of Hindu Marriage Act, 1955, pending on his file and to dispose of the same within the time Stipulation as prescribed by this Court.

For Petitioner : Mr.R.Anand

* * * * *

ORDER

The petitioner in H.M.O.P.No.46 of 2024, on the file of the Sub Court, Tuticorin, has filed the present revision petition, seeking expeditious disposal of the divorce application.



C.R.P.(PD)(MD)No.788 of 2025

WEB COPY

2.It could be seen from the records that the petitioner had filed the said divorce application on the ground of cruelty. The said application has been filed on 21.08.2024 and notice had been ordered to the respondent husband. The trial Court has referred the matter for Mediation, despite there was an objection on the side of the petitioner.

3.As far as Section 89(b) of C.P.C, the parties could be referred to Mediation only if there is any consent between the parties to be referred to Mediation. In the present case, when the Court has made an attempt to refer the matter to Mediation, the wife has objected for referring the matter to Mediation. Despite her objection, the matter has been referred to Mediation. This Court is of the considered opinion that if there is no consent on the side of the parties, the Court ought not to have referred the matter for Mediation. The Court has adjourned the matter to 13.06.2025 for nearly six months. In such circumstances, the trial Court is directed to recall the order referring to Mediation and proceed with the trial in accordance with law and dispose of the matter on or before **31.08.2025.**



C.R.P.(PD)(MD)No.788 of 2025

WEB COPY

4. With the above said observations, this Civil Revision Petition stands disposed of. No costs.

13.03.2025

Internet: Yes/No

Index: Yes/No

RJR

To

The learned Sub Judge,
Tuticorin.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.R.P.(PD)(MD)No.788 of 2025

R.VIJAYAKUMAR, J.

RJR

C.R.P.(PD)(MD)No.788 of 2025

13.03.2025