



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.08.2025

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**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.(MD)No.2327 of 2025**

1.Subbaiah

2.Thaiyalnayagi

...Petitioners

Vs.

Nil

...Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the learned Sub Judge, Devakottai, Sivagangai District to expedite the trial in H.M.O.P.No.41 of 2025 on its file within a time stipulated by this Court.

For Petitioners : Mr.P.Surliraja

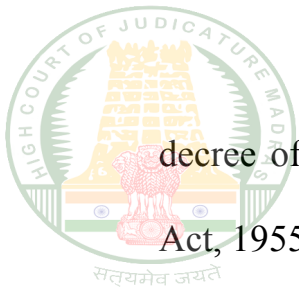
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**ORDER**

This petition has been filed to direct the learned Sub Judge, Devakottai, Sivagangai District to expedite the trial in H.M.O.P.No.41 of 2025 on its file within a time stipulated by this Court.

2. The petitioners, who are husband and wife, have jointly filed a petition

<https://www.mhcn.org.in/> in H.M.O.P.No.41 of 2025 before the Subordinate Court, Devakottai, seeking a



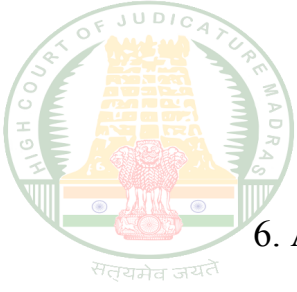
decree of divorce by mutual consent under Section 13 of the Hindu Marriage Act, 1955.

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3. The petitioners have filed the present Civil Revision Petition relying on the judgment of the Hon'ble Supreme Court of India in ***Amardeep Singh vs. Harveen Kaur***, reported in ***(2017) 8 Supreme Court Cases 746***, wherein the Hon'ble Court held that the statutory "cooling-off period" prescribed under Section 13B(2) of the Hindu Marriage Act, 1955, is not mandatory in nature and may be waived in appropriate cases.

4. The learned counsel for the petitioners submitted that, in the present case, the circumstances warrant waiver of the cooling-off period, and both parties are in full agreement for divorce by mutual consent.

5. In view of the aforesaid judgment of the Hon'ble Supreme Court, the learned Subordinate Judge, Devakottai, is directed to dispose of H.M.O.P.No.41 of 2025, filed by the petitioners, within a period of three (3) months from the date of receipt of a copy of this order, considering their request for waiver of the cooling-off period, without delay.



6. Accordingly, the Civil Revision Petition stands disposed of. No costs.

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**25.08.2025**

Internet: Yes/No  
Index: Yes/No  
TSG

To

1. The Sub Court, Devakottai, Sivagangai District.
2. The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court, Madurai.



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**M.DHANDAPANI, J.**

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**25.08.2025**