

Murugesan Vs. Sathiyavathi

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Court : Chennai Madurai

Decided On : Sep-28-2016

Judge : D. Krishnakumar

Appeal No. : CRP (PD) (MD) No. 1975 of 2016

Appellant : Murugesan

Respondent : Sathiyavathi

Judgement :

(Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying this Court to direct the Family Court to dispose of H.M.O.P.No.888 of 2015 within the time stipulated by this Court.)

1. This revision has been filed seeking for a direction to the Family Court to dispose of H.M.O.P.No.888 of 2015 within the time stipulated by this Court.
2. The respondent herein filed H.M.O.P.No.888 of 2015 before the Family Court, Madurai for divorce. The said H.M.O.P was filed in the year 2015 and the same is pending. The above said H.M.O.P has been adjourned time to time for filing counter by the Petitioner herein. Admittedly, as on today, the Petitioner herein has not filed the counter affidavit before the trial Court in the said H.M.O.P and he undertakes to file the counter affidavit at an early date. The learned counsel for the Petitioner submitted that there is no chance for the re-union with the respondent by the Petitioner. The revision Petitioner's intention is to give consent for the relief

sought for in the H.M.O.P. Therefore, the matter is adjourned by the trial Court till now and the same is pending without any progress. Hence the Petitioner has come forward with the present Civil Revision Petition for the relief stated supra.

3. Considering the submissions made by the learned counsel for the Petitioner, without expressing any opinion on the merits of the case, since the Petitioner is ready to give consent for divorce as prayed for by the respondent herein before the Court below, the prayer sought for by the Petitioner in the present C.R.P has to be considered by this Court positively, if there is no legal impediment, this Court directed the Court below to dispose of the H.M.O.P at an early date.

4. In view of the above, the Family Court is directed to dispose of H.M.O.P.No.888 of 2015 on its file as expeditiously as possible, preferably within a period of six months, from the date of receipt of a copy of this order.

5. With the above direction, this Civil Revision Petition is disposed of. No costs.

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