

AmalA. Vs. G.Vasanth Kumar

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Court : Chennai

Decided On : Jul-12-2012

Judge : G.Rajasuria, J.

Acts : Hindu Marriage Act ; [Code of Civil Procedure,\(CPC\) 1908](#) - Section 125;
[Constitution of India](#) - Article 227

Appeal No. : C.R.P.(NPD).No.2451 of 2012

Appellant : Amala

Respondent : G.Vasanth Kumar

Advocate for Pet/Ap. : Mr.R.Ganesh Babu, Adv.

Judgement :

Civil Revision Petition filed under Article 227 of the [Constitution of India](#) to dispose the interim application I.A.No.41 of 2012 in O.P.No.2165 of 2006 at the earliest point of time.

ORDER

1. This civil revision petition is focussed, seeking early disposal of I.A.No.41 of 2012 in O.P.No.2165 of 2006 pending before the learned III Additional Judge, Family Court, Chennai.

2. Heard the learned counsel for the petitioner who would echo the cri de coeur of his client, the petitioner herein, to the effect that O.P.No.2165 of 2006 was filed by his client as against her husband seeking divorce. Consequent upon non appearance of the husband, he was set ex parte and before the ex parte decree was passed, he filed I.A.No.42 of 2011 to get the ex parte order set aside and as such, the entire proceedings are pending ever since 2006, which is against the mandates as contemplated in the Hindu Marriage Act. He would also submit that maintenance case was filed invoking Section 125 of C.P.C. to obtain maintenance in favour of her children and that is also pending similarly. Accordingly, the learned counsel for the petitioner would pray for expeditious disposal of the matter.

3. I could see considerable force in the submission made by the learned counsel for the petitioner. As per law, matters of this nature should be disposed of as expeditiously as possibly and the very fact that the matter is pending from 2006 warrants direction from this Court as under:

The learned Family Court Judge shall do well to see that the entire matter is disposed of within a period of three months from the date of receipt of a copy of this order.

With the above direction, this civil revision petition is disposed of. No costs.

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