



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2018

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (PD) (MD) No.433 of 2018

WEB COPY

T.Vanitha

.. Petitioner / Petitioner

Vs.

S.Sathyakumar

.. Respondent /Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to direct the learned Subordinate Judge, Pattukottai, to expedite and complete the Trial in HMOP No.77 of 2017, within a time limit fixed by this Court.

For Petitioner : Mr.M.P.Senthil

ORDER

The Civil Revision Petition has been filed seeking a direction to the learned Subordinate Judge, Pattukottai, to dispose of HMOP No.77 of 2017, within a stipulated time as fixed by this Court.

2. The petitioner would submit that the petitioner and the respondent were in love affair. According to the petitioner the respondent obtained her consent by force and registered the marriage on 08.09.2016, as if the marriage was performed between the petitioner and the respondent on 04.09.2016. But there was no such marriage held on 04.09.2016 and in fact on 04.09.2016 the respondent was not in India and for the purpose of marriage the respondent foisted a fraudulent marriage invitation and therefore, the petitioner only after registering the marriage came to know that the respondent had registered the marriage with ulterior motive. After registration of marriage, the respondent left to Singapore and never contacted her and they never lived as husband and wife. Therefore, the petitioner filed HMOP petition to declare the marriage as null and void.

3. The petitioner would further submit that notice was issued to the respondent to Singapore address and which was received by him on 25.04.2017. The respondent has not chosen to reply till date and therefore, the petitioner has filed this application to declare the marriage as null and void. But till date the respondent has not filed counter and therefore, the petitioner has filed the present petition seeking early disposal of the same.



4. Heard the learned Counsel for the petitioner and perused the materials available on record.

5. The prayer in the petition itself is with a limited scope for speedy disposal of the HMOP petition, no notice is necessary to the respondent in the present revision.

6. Considering the facts and circumstances of the case, this Court is of the view that the interest of justice would be subserved, if a direction is issued to the learned Trial Court to dispose of HMOP No.77 of 2017.

7. In the result, the learned Subordinate Judge, Pattukottai, is directed to dispose of HMOP No.77 of 2017, on merits and in accordance with law, within a period of six months from the date of receipt of a copy of this order.

8. The Civil Revision Petition is ordered accordingly. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

The Subordinate Judge,
Pattukottai.

+One cc to Mr.M.P.Senthil, Advocate, SR.No.52115

rm
RL/3C/2P/SV/MMS/SAR2/14/3/2018

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