

HIGH COURT FOR THE STATE OF TELANGANA :: AT HYDERABAD

ROC No.760/SO/2019

Date: 16.09.2019

CIRCULAR No. 19/2019

Sub: High Court for the State of Telangana – Letter received from the Director (FAC), Mediation and Arbitration Centre, High Court for the State of Telangana – Request to issue necessary instructions to all the Family Courts to refer the cases pending for more than two years for Mediation/Conciliation – Instructions issued.

- Ref:1) Letter in Roc.No.141/HCMAC/2019, dated 31.07.2019, from the Director (FAC), Mediation and Arbitration Centre, High Court for the State of Telangana, Hyderabad.
2) Circular in Roc.No.1294/SO-1/2011, dated 12.10.2012.
3) Order dated 27.04.2011 of High Court of Andhra Pradesh reported in 2011(5) ALD 799(DB).

The Director (FAC), Mediation and Arbitration Centre, High Court for the State of Telangana in his letter dated 31.07.2019 has informed that several matters are being filed before the Family Courts in the State of Telangana, and in all the matrimonial matters pending before the Family Courts, initially the courts on appearance of the respondent, are referring the parties to Mediation/Conciliation for settlement if any. On failure of such Mediation/Conciliation, the cases are pending for adjudication in the Family Courts for years together. When the matter was brought to the notice of the Hon'ble Judge in charge of the Mediation and Arbitration Centre, His Lordship was pleased to direct the Director to request the High Court to issue necessary instructions to all the Family Courts in the State of Telangana to refer the matrimonial matters pending for more than (2) years for Mediation/Conciliation enabling the parties for an amicable settlement.

The High Court upon considering the matter, directed the Registry accordingly to issue circular instructions to all the Presiding Officers of the Family Courts to refer the matrimonial matters, which are pending for more than two years in their courts for Mediation/Conciliation enabling the parties for an amicable settlement.

Attention is invited to the High Court's circular in the reference 2nd cited, wherein all the Judicial Officers dealing with matrimonial matters were directed to ensure that the steps contemplated under the provisions of Hindu Marriage Act, Family Courts Act and the Civil Procedure Code are followed in letter and spirit. Attention is also drawn to the order of the Hon'ble Division Bench of the High Court of Andhra Pradesh on the reference 3rd cited, wherein, the Court has formulated Guidelines in matrimonial matters,

Therefore, all the Presiding Officers of the Family Courts and the Judicial Officers dealing with matrimonial matters are once again directed to refer the matrimonial matters, which are pending for more than two years in their courts to Mediation/Conciliation and to pursue for an amicable settlement between the parties.

All the Unit Heads are directed to see that the circular instructions given to the Presiding Officers of the Family Courts are complied in letter and spirit.

The above instructions should be scrupulously followed and any deviation will be viewed seriously.


REGISTRAR GENERAL
16.9.18

To

1. All the Unit Heads in the State.
(with a request to communicate the circular instructions to all the Presiding Officers of the Family Courts working in their unit and for compliance.)
2. The Registrar (Administration), High Court for the State of Telangana, Hyderabad. (for information)
3. The Registrar (Judicial), High Court for the State of Telangana, Hyderabad. (for information)
4. The Registrar (IT-cum-Central Project Coordinator), High Court for the State of Telangana, Hyderabad. (With a request to upload the circular in the High Court's Website)
5. The Member Secretary, Telangana State Legal Services Authority and Director (FAC) Mediation and Arbitration Centre, High Court for the State of Telangana.
6. The Section Officer, Mediation and Arbitration Centre, High Court for the State of Telangana.
7. The Section Officer, E and OP Section, High Court for the State of Telangana, Hyderabad.