



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

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CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 4342 of 2026

1. Soosai Jebasteen @ Joseph Jebasteen
S/o. Johnson Jebasteen, 4/4/4/3,
Akilmanai Street, Tirupathur,
Sivaganga, Tamilnadu 630211.

2. Rosi Sahaya Roopa
W/o. Soosai Jebasteen @ Joseph
Jebasteen, D/o. Susaimanickam,
No.22/2B, West Mada Street,
Kaladipet, Tiruvottiyur, Chennai 600
019.

Petitioner(s)

Vs

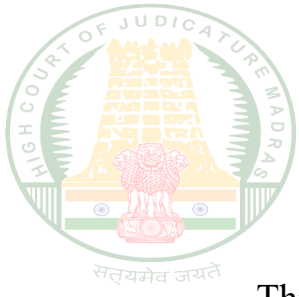
1. Nil
Nil

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the docket order dated 08.06.2026 passed in IDOP Sr.No.1738 of 2026 on the file of Family Court, Chennai and to consequently direct the Family Court, Chennai to number the IDOP by allowing the present CRP.

For Petitioner(s): M/s.Auxilia Peter
and Mr.Jagadeesan
for M/s. P.B.Ramanujam
Associates



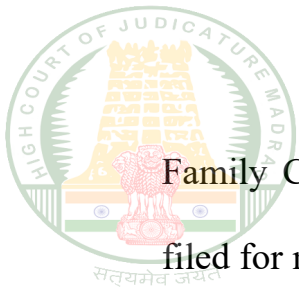
ORDER

WEB COPY This Civil Revision Petition has been filed, challenging the impugned docket order dated 08.06.2026 passed in I.D.O.P. (SR) No. 1738 of 2026 on the file of the Family Court, Chennai.

2. The petitioners filed a petition under Section 10(A) of the Indian Divorce Act, 1869, seeking for mutual divorce. The same has been returned by the Family Court at Chennai by stating that the Family Court, Chennai does not have territorial jurisdiction to decide the petition.

3. The petitioners contend that in the earlier proceedings between the parties, the V Additional Family Court disposed of F.C.O.P. No. 3438 of 2022 and M.C. No. 367 of 2025 by an order dated 05.03.2026.

4. According to the petitioners, the Family Court ought to have taken note of the fact that both the petitioners invoked Section 24 of the CPC, 1908, and had obtained transfer of the parent proceeding, which is pending before the Family Court, Sivagangai, and Judicial Magistrate, Thiruvottiyur, owing to their convenience to the Family Court at Chennai in Transfer C.M.P. Nos. 238 of 2022 and 796 of 2024. In view of the same, the petitioners contend that the



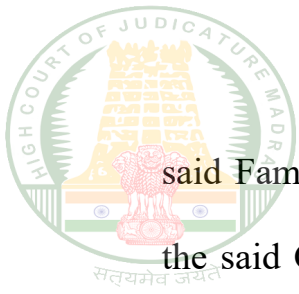
Family Court at Chennai has got territorial jurisdiction to decide the petition filed for mutual divorce in I.D.O.P. (SR) No. 1738 of 2026.

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5. As seen from the impugned order, the contentions of the petitioners as raised in this Civil Revision Petition, as well as in the endorsement made by the counsel for the petitioners before the Family Court, have not been considered. Being a non-speaking order with regard to the contentions of the petitioners as raised in this Civil Revision Petition, necessarily, the impugned order has to be quashed and the matter remanded back to the very same Family Court for fresh consideration with regard to the maintainability of I.D.O.P. (SR) No. 1738 of 2026 filed by the petitioners, seeking for mutual divorce.

6. For the foregoing reasons, the impugned docket order dated 08.06.2026 passed by the Family Court, Chennai, in I.D.O.P. (SR) No. 1738 of 2026 is hereby quashed by this Court, and this Civil Revision Petition is disposed of by directing the Family Court, Chennai, to list I.D.O.P. (SR) No. 1738 of 2026 for maintainability, on a specified date, within a period of one week from the date of receipt of a copy of this order.

7. On the specified date, the petitioners' counsel shall try to convince the



said Family Court that I.D.O.P. (SR) No. 1738 of 2026 is maintainable before the said Court, as the said Court is having the territorial jurisdiction to decide the matter. If the said Family Court decides that I.D.O.P. (SR) No. 1738 of 2026 filed by the petitioners is maintainable, the said Court shall number the said petition and pass appropriate orders in the said petition on merits and in accordance with law.

8. In case the said Family Court decides otherwise, the said Family Court shall pass a speaking order with regard to the contentions of the petitioners with regard to the maintainability of I.D.O.P. (SR) No. 1738 of 2026.

9. The aforesaid exercise shall be completed by the Family Court, Chennai, within a period of four weeks from the date of receipt of a copy of this order.

10. The Registry of this Court is directed to return the original petition filed in I.D.O.P. (SR) No. 1738 of 2026 to the counsel for the petitioners to enable the petitioners to re-present the same before the Family Court, Chennai, along with this order.



11. Accordingly, this civil revision petition is disposed of. No Costs.

Consequently, connected miscellaneous petition is closed.

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29-07-2026

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

The Family Court, Chennai.



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ABDUL QUDDHOSE J.

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