

In the High Court of Judicature at Madras

Dated : 19.1.2015

Coram :

The Honourable Mr.Justice V.RAMASUBRAMANIAN

Civil Revision Petition (PD) No.4454 of 2014 and M.P.No.1 of 2014

M.Mahendran

Vs

...Petitioner

N.Jayanthi

...Respondent

PETITION under Article 227 of The Constitution of India against the fair and final orders dated 11.6.2014 passed in I.A.No.652 of 2014 in H.M.O.P. No.263 of 2011 on the file of the Family Court, Coimbatore.

For Petitioner : Mr.K.P.Chandrasekaran

ORDER

The petitioner has come up with the above civil revision petition challenging an order passed by the Family Court refusing to subject his wife, who is the respondent herein, to a DNA test.

2. Heard Mr.K.P.Chandrasekaran, learned counsel for the petitioner.

3. The main petition H.M.O.P.No.263 of 2011 filed by the petitioner was one for divorce on the ground of cruelty and desertion. In the main petition, the petitioner did not question the paternity of the children. Therefore, the Family Court rightly relied upon the decision of the Supreme Court in ***Ramkanya Bai Vs. Bharatram [2010 (2) MLJ 135 (SC)]***. Hence, I see no reason to interfere with the order of the Trial Court.

(2)

V.RAMASUBRAMANIAN,J
RS

4. Therefore, the civil revision petition is dismissed. Consequently, the above MP is also dismissed.

5. However, the learned counsel for the petitioner submitted that there is a possibility for a settlement, if the parties are referred to mediation.

6. If that is so, the petitioner can as well move the Court below for referring the parties to mediation.

19.1.2015

Internet : Yes

To
The Family Court, Coimbatore.

CRP(PD)No.4454 of 2014
and MP.No.1 of 2014