



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2015

CORAM:

THE HONOURABLE Dr.JUSTICE P.DEVADASS

C.R.P.NPD(MD)No.1615 of 2015

and

M.P. (MD)No.1 of 2015

S.Kumar

... Petitioner

Vs.

G.Renuka

... Respondent

Prayer: Civil Revision Petition is filed under Section 115 of C.P.C., against the order dated 17.04.2014 passed in I.A.No.25 of 2012 in G.O.P.No.30 of 2010 on the file of the Principal District Judge, Pudukkottai.

For Petitioner : Mr.K.Seemaraj

For Respondent : Mr.P.Ganapathisubramanian

ORDER

Heard both sides.

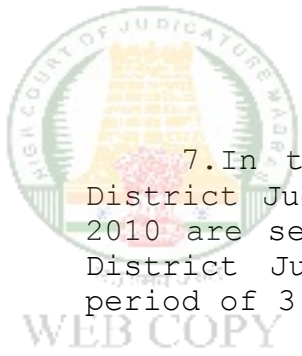
2.The facts are queer. But we are not surprised. Wife says her Police husband has become a cruel man. But the husband says she has become cruel to him. In such circumstances, the status of husband and wife has gone by a court order. Now, they have become X-husband and X-wife. The husband married another woman as his wife and the wife married another man as her husband.

3.Most disturbing aspect is children. Their mother has become wife of the another man, while their father has become husband of another woman, but, the children continue to be the children of their parents. No law, no rule, no court order can sweep away the parentage of the children.

4.It is stated that though the Policeman dislike his earlier wife, but he continue to evince keen interest and have love and affection towards them born through his first wife.

5.Though the Policeman started a new life with another woman, his ex-wife filed a guardian O.P.for the custody of the children born to her through her ex-husband. In that petition since the Policeman has not appeared in the proceedings, he was set exparte. Realising his folly, he filed I.A.to set aside the ex parte order. But the learned Judge did not like his attitude. So dismissed his petition. That is how he is before us and his ex-wife is opposing his plea.

6.Considering the welfare of the children, their education, if the husband / revision petitioner wants custody or visitation right, the Court can ask him to meet the expenses of the children.



7. In the circumstances, the order and fair order of the Principal District Judge, Pudukkottai passed in I.A.No.25 of 2012 in G.O.P.No.30 of 2010 are set aside. The said I.A. stand allowed. The learned Principal District Judge, Pudukkottai will dispose of the guardian OP within a period of 3 months from the date of receipt of a copy of this order.

8. Accordingly, the C.R.P. is disposed of. No costs. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge, Pudukkottai.

+1cc to Mr.S.Asaithambi, Advocate SR.No.59925

C.R.P.NPD(MD) No.1615 of 2015
07.10.2015

nbj

NS/MP/29.10.2015 : 2P/3C