

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2016

CORAM

THE HONOURABLE MS. JUSTICE R.MALA

C.R.P.No.2967 of 2015

and

M.P.Nos.1 and 2 of 2015

V.Balasubramaniam ... Petitioner

Vs.

K.Alli ... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 12.06.2015 made in I.A.No.407 of 2015 in HMOP No.59 of 2011 by the Principal Judge, Family Court, Chennai.

For Petitioner : Mr.K.Gunasekar

For Respondent : Mr.S.Venkatesan

ORDER

Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

2. The petitioner has come forward with this Revision challenging the impugned order of the trial Court directing the petitioner to undergo DNA test to ascertain the disputed paternity of the son.

3. In view of the order passed by this Court on 18.01.2016, today, both the parties are present and the petitioner herein filed an affidavit before the Court. In paragraph-17 of the affidavit, the petitioner has stated as follows:-

"I declare that the paternity of the son is not disputed by me."

4. Once the petitioner admitted the paternity of his son, this Court is of the view that there is no necessity to go for paternity test / DNA test to prove the same. Recording the

affidavit filed by the petitioner today (25.01.2016), the Civil Revision Petition is allowed and the impugned order is set aside. Consequently, connected Miscellaneous Petitions are closed. No costs.

5. At this stage, it is stated by both sides that the main HMOP is at the stage of argument and the parties want to file some documents before the trial Court. Therefore, the Principal Judge, Family Court (Chennai) is directed to dispose of HMOP.No.59 of 2011, within a period of two months from the date of receipt of a copy of this order, after giving fair opportunity to both sides.

mra

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Principal Judge,
Family Court, Chennai.

+ 1 cc to Mr.K.Gunasekar, Advocate Sr 4470

+ 2 ccs to Mr.S.Venkatesan, Advocate Sr 4440

KR/3/2/16

C.R.P.No.2967 of 2015

and

M.P.Nos.1 and 2 of 2015

सत्यमेव जयते

WEB COPY