

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **06.10.2016**

CORAM:

THE HONOURABLE MR.**JUSTICE K.K.SASIDHARAN**

C.R.P.(P.D.) No.2321/2016

S.Devi : Petitioner
versus

S.Shankar : Respondent

PRAYER: Revision filed against the order dated 14.6.2016 in I.A.No.1248 of 2015 in O.P.No.2786 of 2009 on the file of the III Additional Principal Judge, Family Court, Chennai.

For petitioner : Mr.V.Lakshminarayan

For respondent : Mr.N.S.Sivakumar

ORDER

The petitioner filed an application before the Trial Court in I.A.No.1248 of 2015, for a direction to the respondent to furnish his present address. The application was dismissed by the Trial Court on the ground that the petitioner took notice in the correct address and served it on the respondent and as such, there is no requirement to furnish the present address. The said order is under challenge in this revision petition.

2. The learned counsel for the petitioner contended that the petitioner took notice to the respondent in the address furnished by him earlier. However, the notice was returned unserved. It was only under the said circumstances, the petitioner filed the application for direction. The learned Trial Judge without ascertaining the background facts, dismissed the application and as such, the order is liable to be set aside.

3. The learned counsel for the respondent submitted that the respondent is presently residing at Excellent Guest House, 46A, Wallajah road, (Opp. Kalaivanarrangam), Chennai 600 005. According to the learned counsel, in case the respondent shifts his residence, it would be intimated to the Trial Court.

4. The petitioner filed the interlocutory application only to direct the respondent to furnish his present address. The respondent has now furnished the present address, which is indicated in this order. In view of the declaration of the present address by the respondent, nothing survives for adjudication in the matter. The respondent is directed to furnish his address in case, at a later point of time, he shifts the residence to a different place.

5. The civil revision petition is disposed of as indicated above. No costs. Consequently, C.M.P.No.11981 of 2016 is closed.

06.10.2016

Index:Yes/no
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To

The III Additional Principal Judge, Family Court, Chennai.

K.K.SASIDHARAN, J.

(tar)

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