

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.06.2016

CORAM

THE HONOURABLE MR. JUSTICE **C.T.SELVAM**

CRP (PD)No.584 of 2016

Ananda Iyappan

■ ■ ■

Petitioner

..Vs..

Saranya Devi

■ ■ ■

Respondent

Prayer:- Revision Petition is filed under Article 227 of the Constitution of India, against the order dated 21.12.2015 passed in I.A.No.265 of 2015 in I.A.No.235 of 2014 in H.M.O.P.No.14 of 2013 on the file of the Family Court, Erode.

For Petitioner : Mr.I.C.Vasudevan

For Respondent : Mr.M.Sudha
for Mr.C.Munusamy

ORDER

This Revision challenges the order of the Family Court, Erode passed in I.A.No.265 of 2015 in I.A.No.235 of 2014 in H.M.O.P.No.14 of 2013 on 21.12.2015, dismissing the application seeking examination of the disputed signature of the respondent/wife by an expert.

2. The respondent/wife having suffered an exparte decree of divorce sought setting aside thereof contending that notice in the proceedings in H.M.O.P.No.14 of 2013, wherein the petitioner seeks divorce, had not been served on her and that the petitioner/husband has manipulated affairs towards making it appear she was served and thereby wrongly obtained an exparte decree of divorce.

3. In passing the order under challenge, the Court below has taken note of the view of the expert that the signature as found in the vakalat executed by the respondent/wife is of the year 2015, while the disputed signature is of the year 2013 and that both were not contemporaneous.

4. In such circumstances, this Court finds no reason to interfere with the order under challenge. Hence this Civil Revision Petition is disposed of with observation that the Court below shall deal with the application seeking to set aside the exparte decree on merits. No costs.

01.06.2016

Index : Yes/No
Internet: Yes/No
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To

The Family Court, Erode

C.T.SELVAM, J

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14.03.2016

Crl.R.C.Nos.937 and 938 of 2007

03.07.2013