



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2016

CORAM

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

C.R.P. (MD) No.1614 of 2016

Cesiliya @ Cesiliya Mary

.. Petitioner / Petitioner

Vs.

T.Martin

.. Respondent/Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Family Judge, Trichy to number the I.D.O.P., pending on the file of the Family Court, Trichy and to dispose of the same within a stipulated time.

For Petitioner : Mr.J.Madhu

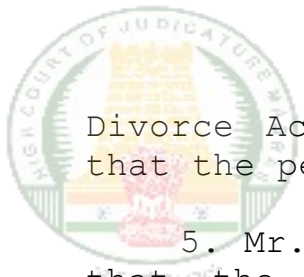
ORDER

This Revision is filed seeking for a direction to the Family Court, Thiruchirappalli to number the I.D.O.P., filed by the petitioner dated 18.07.2016.

2. Heard the learned counsel appearing for the petitioner and perused the records.

3. The case of the petitioner is that she was married to the respondent on 12.04.1999 and out of the wedlock they are blessed with two children. Both the husband and wife were residing at their native village, namely, Melapatti in Pudukottai District and in the year 2014, they shifted their residence and started to reside at Plot No.73, Aranya Nagar, Olaiyur Main Road, E.B.Colony, Trichy for education of their children. The petitioner's daughter, namely, M.Vino Emancle is studying at Periyar Maniammal Girls Higher Secondary School in Trichy, while her son, namely, M.Helanjoel is studying at M.I.E.T. Polytechnic College, in Trichy.

4. It is further alleged that the petitioner's husband has become drunkard and he harassed her in drunken mood and he also left her alone in her matrimonial home without any valid reasons. So, the petitioner filed a petition before the Family Court, Thiruchirappalli for divorce under Section 10(1)(X) of Indian



Divorce Act. However, the petition was returned on the ground that the petitioner did not produce her residential proof.

5. Mr.J.Madhu, learned counsel for the petitioner would submit that the petitioner is having I.D.cards for her residential address and the petitioner had produced the I.D.cards issued to her children to prove that she is residing in Trichy, but, the Family Court has not accepted the same, hence this petition is filed.

6. In the typed set filed by the petitioner, I.D. Cards issued to the children were enclosed, which would reveal that the petitioner is residing at Trichy, in Plot No.73, Aranya Nagar, Olaiyur Main Road, E.B.Colony, Trichy.

7. In such view of the matter, the Family Court, Thiruchirappalli is directed to number the I.D.O.P. filed by the petitioner dated 18.07.2016 and dispose of the same on merits in accordance with law, if it is otherwise in order.

8. With the above directions, the Civil Revision Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS I)

/True copy/

Sub Assistant Registrar

To

The Judge, The Family Court, Tiruchirappalli.

+1cc to M/s.J.Madhu, Advocate SR.No.45804

Copy to:The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai

pmu

sm:PV:19/09/2016:2P/4C

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