



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2016

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE K.KALYANASUNDARAM**

C.R.P (MD) No.1691 of 2016 (PD)

Esakkimuthu

.. Petitioner

Vs.

1.Sankara Gomathi @ Sankari

2. Bala Kannan

.. Respondents

Prayer : This Civil Revision Petition is filed under Article 227 of Constitution of India, praying to direct the learned Family Judge, Tirunelveli, to number the unnumbered H.M.O.P.No.NIL of 2016 filed by the petitioner, to the file of the Family Court, Tirunelveli.

For Petitioner : Mr. D.Rajkumar

ORDER

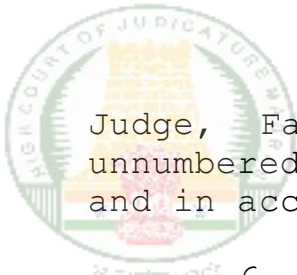
This revision is filed seeking for a direction to the Family Court, Tirunelveli, to number the unnumbered H.M.O.P. Nil of 2016.

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

3. Mr.D.Rajkumar, learned counsel appearing for the petitioner would submit that the petitioner filed H.M.O.P. Nil of 2016 against the respondent for divorce on the ground of adultery and cruelty and the petition is returned on the ground that the paramour was not impleaded in the petition and they also sought for proof of adultery.

4. Learned counsel for the petitioner would further submitted that now the paramour is added as second respondent. Despite the same, the petition is not numbered on the ground that the petitioner has not produced any proof for adultery and he further submitted that the allegation of adultery can be decided only after the trial.

<https://hcservices.ecourts.gov.in/hcservices/>
5. In paragraph No.5 of the petition, necessary averments have been made against the first respondent. Hence, the learned



Judge, Family Court, Tirunelveli is directed to number the unnumbered H.M.O.P.Nil of 2016 and dispose of the case on merits and in accordance with law as expeditiously as possible.

6. With the above direction, this Civil Revision Petition is disposed of. No Costs.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To
Family Court, Tirunelveli.

+1 cc to MR.D.RAJKUMAR, Advocate Sr.No.49479

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SMA/PV/16/09/2016 :2P/3C