

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

CRP.NPD.No.1161/2017

Lingajoth

..Petitioner

..Vs..

Palani Rajan

..Respondent

Prayer:- Civil Revision Petition filed under article 227 of Constitution of India to set aside the Docket order of refusal by the learned Family Court Judge, Coimbatore in unnumbered I.A.dated 20.02.2017 (in docket order dt.22.02.2017) in I.A.No.131 of 2016 in H.M.O.P.No.1204 of 2014

For Petitioner : Mr.V.V.Sairam
For Respondent : No Appearance

ORDER

The petitioner has filed the Civil Revision Petition against the order passed in unnumbered I.A, in I.A.No.131 of 2016 which was filed to set aside the exparte order of divorce. The said application was allowed on 14.11.2016, on condition to pay

D.KRISHNAKUMAR

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Rs.1000/-(Rupees One thousand only) and the conditional has not been complied with. Therefore, the said application was dismissed for non compliance of the conditional order. Aggrieved by the said order, the petitioner has approached this Court without exhausting the remedy available under the provisions of the Civil Procedure Code, for filing appropriate application before the Court below. Therefore, this Court is not inclined to entertain the Civil Revision Petition. This order will not stand in the way, the petitioner to approach the Court below for filing appropriate application seeking extension of time for compliance of the conditional order passed by the Court below. If the said application is filed, the Court below is directed to consider the same, in accordance with law as expeditiously as possible.

2.The Civil Revision Petition is dismissed with the above direction. No costs.

3.The Registry is directed to return the original impugned order, after obtaining the xerox copy of the order.

27.03.2017

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Speaking Order/Non Speaking Order

Index : Yes / No
Internet : Yes / No

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To

The Family Court ,
Coimbatore.

Note: Issue Order copy on 28.03.2017.

D.KRISHNAKUMAR., J.

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<http://www.judis.nic.in>