

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2017

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)No.1396 of 2017

Abirami @ P.Abinayasundari .. Petitioner

Vs.

P.Jayasubramani .. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, against the Family Court, Erode to number the HMOP SR.No.5311/9 of 2016.

For Petitioner : Mr.M.V.Venkataseshan

ORDER

सत्यमेव जयते

This Civil Revision Petition has been filed seeking a direction to the Family Court, Erode to number the HMOP SR.No.5311/9 of 2016.

2. The petitioner has filed HMOP SR.No.5311/9 of 2016 against the respondent for divorce on the ground of cruelty. The

learned Judge, Family Court, Erode returned the HMOP SR. No.5311/9 of 2016 filed by the petitioner directing her to produce passport size photo with identification sign and address proof. Subsequently, the learned Counsel for the petitioner re-presented the same with an endorsement amended and re-presented. The learned Judge directed to check and call the matter on 27.2.2017. On 27.2.2017, the petitioner was directed to be called on open court and to explain about the petitioner's address. On 07.03.2017, the learned Judge, Family Court, Erode, again returned the HMOP SR.No.5311/9 of 2016 for production of address proof. Aggrieved by the same, the petitioner has come up with the present Civil Revision Petition.

3. The learned Counsel for the petitioner submitted that the petitioner is residing separately from husband who is none other than the brother of her mother. The petitioner has produced affidavit from the premises where the petitioner is residing for address proof. The petitioner has produced notice and acknowledgement cards which proves that she is residing at Erode. The insistence of the learned Judge for production of Ration Card or Voter ID is not at all sustainable.

4. From the record, it is seen that the petitioner has not produced affidavit of the landlord and the notices and other acknowledgement cards which was received by the petitioner in the Erode address. In the circumstances the petitioner is directed to re-present the HMOP SR.No.5311/9 of 2016 with the affidavit of landlord and other documents. On such representation, the learned Judge is directed to number the HMOP SR.No.5311/9 of 2016, if it is otherwise in order and decide the matter on merits in accordance with law.

5. The Civil Revision Petition is disposed of with the above direction. No costs.

17.04.2017

Index :Yes/No

Internet :Yes/No

dm/kua

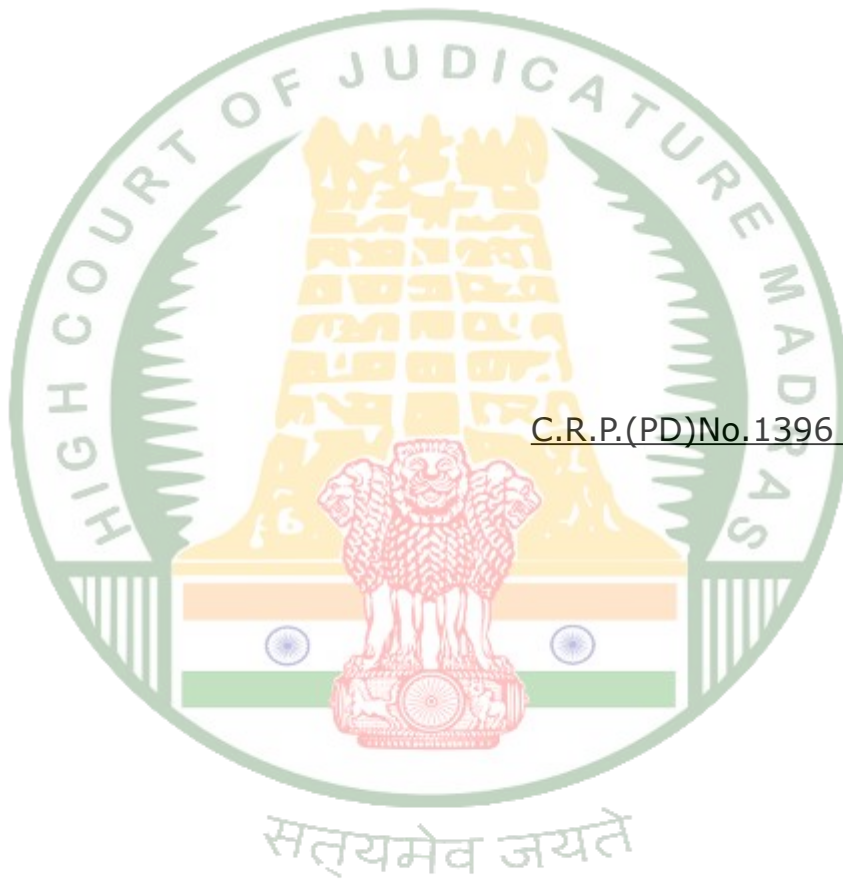
To

The Family Court,
Erode.

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V.M.VELUMANI,J.

dm/kua



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17.04.2017

C.R.P.(PD).No.1396 of 2017**V.M.VELUMANI,J.**

Today, the above Civil Revision Petition is listed under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. Heard the learned counsel for the petitioner.

3. The Registry is directed to return the original petition to the petitioner.

12.09.2017

Note:**Issue order copy on 12.09.2017.**

gsa

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