

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2017

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(PD).No.416 of 2017

J.Murali

.. Petitioner

Vs.

U.Narmatha

.. Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order, dated 14.12.2016 made in I.A.No.2536 of 2014 in O.P.No.32 of 2013, on the file of the III Additional Family Court, Chennai.

For petitioner : Mr.K.Premkumar

ORDER

The husband has filed an application under Section 151 CPC in I.A.No.2536 of 2014 in O.P.No.32 of 2013, seeking a direction to return the articles and valuables that he had kept in the matrimonial home. In the said application, a Commissioner was appointed to take inventory and deliver the properties to the husband. It is stated that except cash of Rs.80,000/- and gold ring, all the other articles mentioned in the petition, were returned

to the revision petitioner/husband. Since the Commissioner has restored the articles which were also given to the revision petitioner, except the items mentioned above, the I.A. was dismissed by the Family Court as having become infructuous. The items which are missing according to the revision petitioner, can be dealt with at the time of trial. Therefore, nothing survives for consideration in this Civil Revision Petition and the same is accordingly dismissed. It is stated that the respondent-wife has filed O.P.No.2690 of 2013 before the First Additional Principal Judge, Family Court, Chennai, for restitution of conjugal rights and the revision petitioner-husband has filed O.P.No.32 of 2013 for divorce before the III Additional Principal Judge, Family Court, Chennai. Hence, both the said O.Ps. shall be disposed of by any one of the said Courts, within a period of six months from the date of receipt of a copy of this order. No costs.

13.02.2017

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Copy to

1. The Third Additional Principal Judge,
Family Court, Chennai.
2. The First Additional Principal Judge,
Family Court, Chennai.

PUSHPA SATHYANARAYANA, J

CS

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