

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION NO.3512 OF 2017

Date: 03.11.2017

Between:

Rasala Venkateswarlu s/o. late Mallaiah, Aged 39 years,
Occu: Journalist, R/o. Rajeev Colony, Matwada,
Warangal district.

..... Revision petitioner

and

Rasala Pavani W/o. Venkateswarlu, Aged 34 years,
Occu: Household, r/o. New Shayampet, Hanamkonda,
Warangal district.

.....Respondent



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CIVIL REVISION PETITION NO.3512 OF 2017

ORDER:

Revision petitioner is the petitioner in F.C.O.P.No.364 of 2015 on the file of Family Court-cum-III Additional District Judge, Warangal. Petitioner earlier filed I.A.No.132 of 2016 for conducting DNA test to decide the paternity of the children born to respondent. Said I.A. was allowed. Accordingly, test was conducted on 27.12.2016 by the Telangana State Forensic Science Laboratory and submitted its report on 01.02.2017. It appears, report holds that children were born to the petitioner. While so, petitioner filed I.A.No.199 of 2017 praying to direct both parties with children to attend before the Director of Central Forensic Science Laboratory, Government of India, Ramanthapur, Hyderabad for one more DNA test. Said application was resisted by the respondent. On elaborate consideration, the Court below rejected the said application.

2. Heard learned counsel for petitioner and learned counsel for respondent.

3. Learned counsel for petitioner sought to contend that petitioner doubts genuineness of the report on the parenthood of the children born to respondent through him and, therefore, request for one more DNA test to find out the truth. According to the learned counsel, petitioner suspects the *bona fides* of the employees in the Laboratory in conducting test and that people inimical to the petitioner in the profession have worked out in securing the false report. Learned counsel has also drawn attention of the Court to the representation, dated 09.01.2017 stated to have submitted by the petitioner to the Director, Forensic Science Laboratory.

4. Learned counsel for respondent supports the decision of the trial Court. He holds that there was no illegality in conducting the DNA test and the reports submitted thereon and only to drag on the matter, petitioner filed the present revision petition.

5. A bare perusal of the representation dated 09.01.2017 addressed to the Director, Forensic Science Laboratory, Hyderabad would disclose that no allegations are made against staff working in the Laboratory, but petitioner was trying to make an allegation against his Journalist colleagues on teaming against him and harassing him. In the affidavit filed in support of the I.A.No.199 of 2017, petitioner sought to contend that DNA test earlier conducted is not genuine and sought to contend that the authorities of FSL are under the influence of respondent. However, the averments are vague; there is no mention as to how they were under the influence of respondent and in what matter. On vague allegations petitioner sought for direction for second DNA test.

6. No case is made out for conducting second DNA test. I do not see any error in the decision arrived at by the Court below warranting interference by this Court. Hence, Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this revision petition shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 03.11.2017

kkm

HON'BLE SRI JUSTICE P.NAVEEN RAO



CIVIL REVISION PETITION NO.3512 OF 2017

Date: 03.11.2017

kkm