

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.06.2018

Coram:

THE HONOURABLE **MR.JUSTICE P.VELMURUGAN**

C.R.P.(PD)No.1540 of 2018 and
C.M.P.No.8226 of 2018

Gunasekaran ... Petitioner

Vs.

1. Pounidame
2. Savitha ... Respondents

Civil Revision Petition has been filed under Article 227 of the Constitution of India against the order dated 21.12.2017 made in I.A.No.530 of 2017 in M.O.P.No.64 of 2015 on the file of the Pndicherry Family Court.

For Petitioner : T.Muruganantham
For Respondent : Mr.M.Velmurugan for R1

ORDER

This civil revision petition has been filed against the order dated 21.12.2017 made in I.A.No.530 of 2017 in M.O.P.No.64 of 2015 on the file of the Pndicherry Family Court.

2 The petitioner herein is husband and first respondent is wife. The first respondent/wife filed a petition in M.O.P.No.64 of 2015 for divorce on the ground of cruelty before the Family Court,

Pondicherry. Pending the above petition, the first respondent/wife filed an interlocutory application in I.A.No.530 of 2017 seeking direction to the petitioner/husband to produce a community certificate of her daughter for pursuing higher studies. The Family Court, after hearing both sides, allowed the application in I.A.No.530 of 2017 by order dated 21.12.2017.

3 Aggrieved against the above said order dated 21.12.2017, the husband is before this Court with the present civil revision petition.

4 The learned counsel for the revision petitioner would submit that the petitioner and first respondent are living separately for the past 13 years, he does not know who is his daughter and under these circumstance, it is not possible for him to produce the certificate of the petitioner's daughter. The Family Court, without even considering the above aspects, allowed the application by order dated 21.12.2017.

5 The learned counsel appearing for the first respondent/wife would submit that it is just and necessary to produce the community certificate of her daughter, who is going to pursue her higher studies. The Family Court considering the above fact, has rightly allowed the application seeking the above relief.

6 Heard the learned counsel appearing on either side and

perused the materials available on record.

7 The relationship between the petitioner and first respondent is not disputed. The first respondent filed an application seeking a direction to the petitioner herein to produce the community certificate of her daughter for pursuing higher studies. Due to the dispute between the husband and wife, the child should not be affected. Hence this Court does not find any illegality or infirmity in the order dated 21.12.2017 passed by the Family Court. Accordingly the same does not warrants any interference of this Court.

8 In the result, the civil revision petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

सत्यमेव जयते

22.06.2018

Internet: Yes/No

Index: Yes/No

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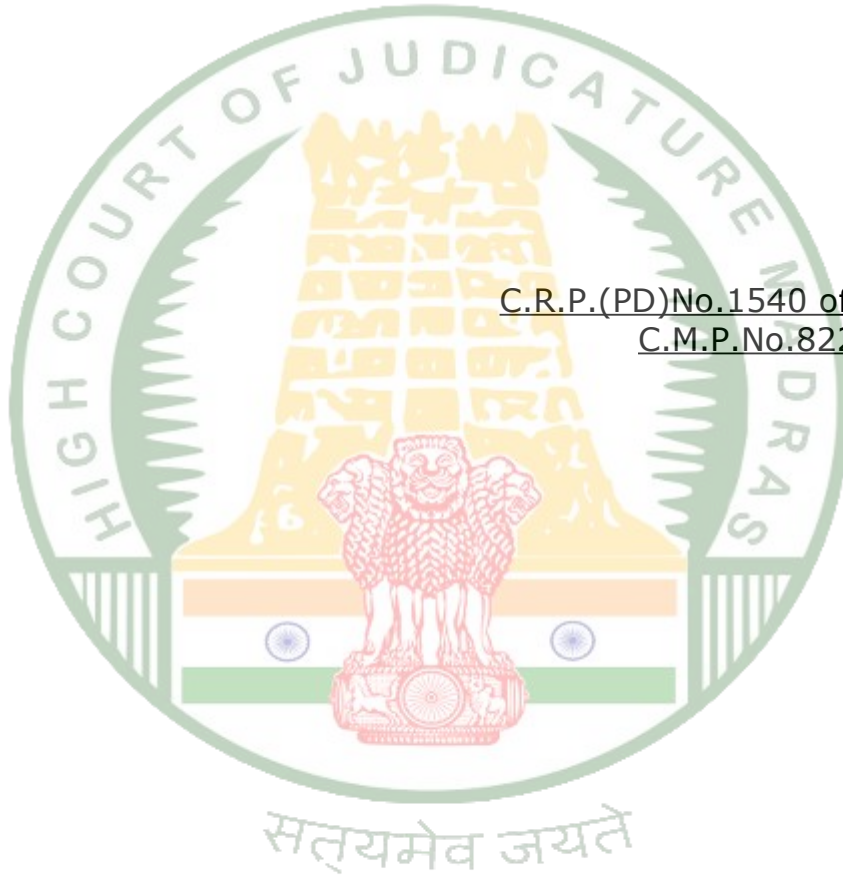
To

The Family Court, Pondicherry.

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P.VELMURUGAN, J.,

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