

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4455 of 2017

Gnanalochani ... Petitioner

Vs

J. Yoganandan .. Respondent

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 04.10.2017 made in I.A. No. 179/2017 in H.M.O.P. No. 1947 of 2005 on the file of III Additional Family Court, Chennai.

For Petitioner : Mr. Arun Anbu Mani

For Respondent : Mr. K.S. Narayanan

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**ORDER**

This revision petition is filed seeking to set aside the fair and decreetal order dated 04.10.2017 made in I.A. No. 179/2017 in H.M.O.P. No. 1947 of 2005 on the file of III Additional Family Court, Chennai.

2. The learned counsel for the petitioner would submit that the petitioner has filed the O.P. No.1947 of 2005 before the Family Court, Chennai for dissolution of marriage and to direct the respondent herein to pay a sum of Rs.50,00,000/- as permanent alimony. In the aforesaid petition, she also filed Interlocutory Application in I.A. No.179 of 2017, under Order XVI Rule 6, r/w Section 151 of CPC, seeking to issue subpoena to the list of concerned authorities to furnish the particulars of respondent's account statements, holdings and other financial transactions from April 2014 till date. The respondent has filed the counter statement. It is further submitted that without considering the submission of the petitioner herein, the court below has dismissed the application. Hence, the present revision petition is filed before this Court.

3. The learned counsel for the respondent has no objection in allowing the instant application.

4. In the light of the facts of the case and the submission made by the learned counsel for the parties, the impugned order dated

04.10.2017 made in I.A. No. 179/2017 in H.M.O.P. No. 1947 of 2005 by the court below is set aside. It is also made clear that the any officer concerned dealing with the subject, shall appear before this Court at the time marking of documents. At the request of both the parties, the III Additional Family Court, Chennai is directed to dispose of the O.P. No.1947 of 2005 as expeditiously as possible, preferably on or before July 2018.

5. In fine, the Civil Revision Petition is allowed, with the above direction. Consequently, the connected Miscellaneous Petition is closed. No costs.

20.02.2018

Index : Yes/ No

Speaking order/ Non speaking order

[Issue order copy next week ]

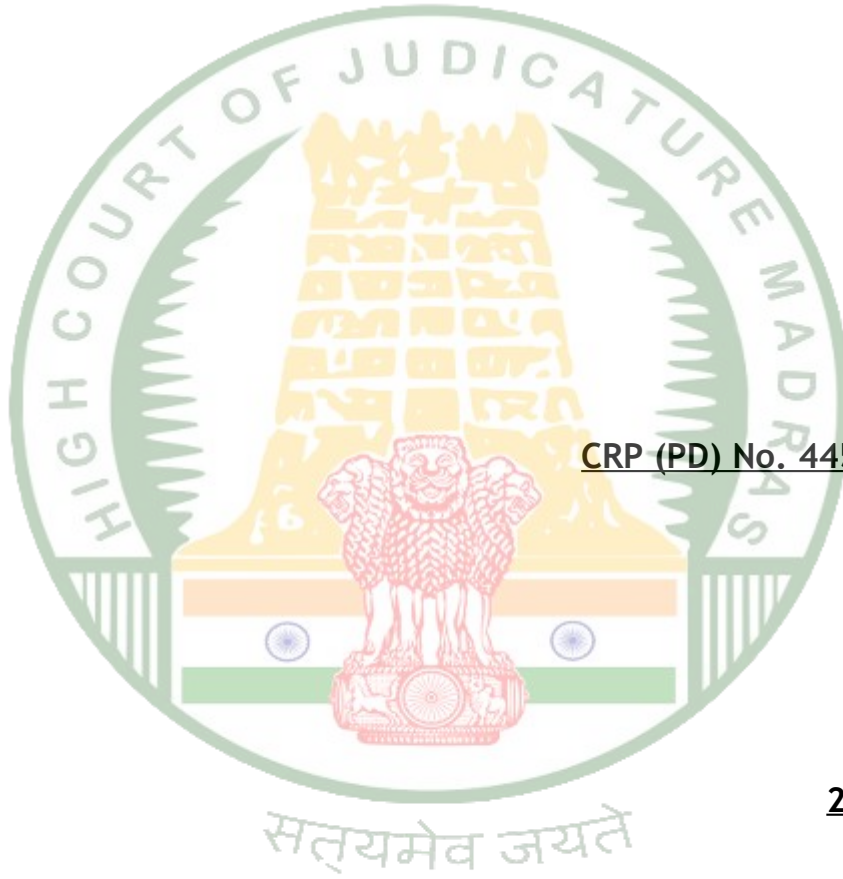
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To

The III Additional Family Court  
Chennai.

D. KRISHNAKUMAR J.,

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