

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP (PD) No. 4821 of 2017
and
C.M.P. No.22800 of 2017

Yoganandan

.. Petitioner

Vs

Gnanalochani

.. 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. 1298/2015 in O.P. No. 1947 of 2005 on the file of III Additional Family Court, Chennai.

For Petitioner : Mr. K.S. Narayanan

For Respondent : Mr. Arun Anbu Mani
for M/s. Muktha

ORDER

This revision petition is filed seeking to set aside the fair and

decreetal order dated 04.10.2017 made in I.A. No. 1298/2015 in 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 respondent has filed the O.P. No.1947 of 2005 before the Family Court, Chennai for dissolution of marriage and to direct the petitioner herein to pay a sum of Rs.50,00,000/- as permanent alimony. In the aforesaid petition, the revision petitioner has filed the Interlocutory Application in I.A. No.1298 of 2015, under Order XVII Rule 6 of CPC r/w Section 10 of Family Court Act, to issue subpoena to the parties concerned for submission of documents, statement of accounts for the period from 01.01.1995 to 31.12.2005 and details of ownership of the property and other accounts. The respondent has filed the counter statements. 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. 1298/2015 in 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.

सत्यमेव जयते

20.02.2018

Index : Yes/ No

Speaking order/ Non speaking order

[Issue order copy next week]

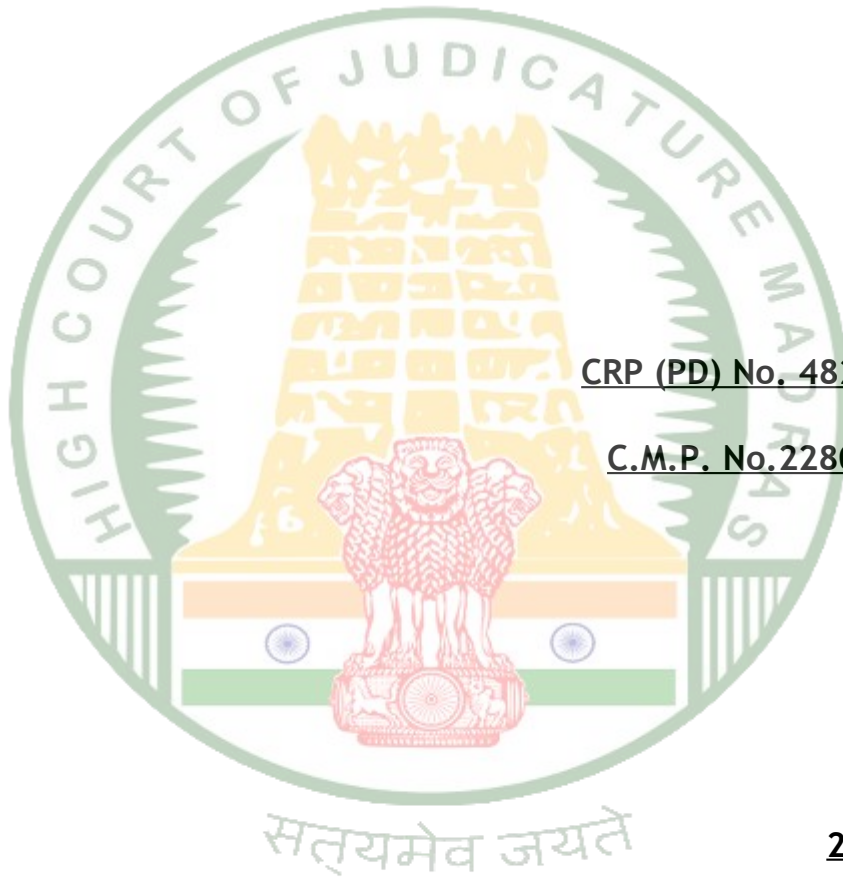
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To

The III Additional Family Court
Chennai.

D. KRISHNAKUMAR J.,

avr



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