

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2018

CORAM:
THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.R.P. (PD) No.3385 of 2018
and
C.M.P. No.19136 of 2018

P.Senthil Pandiyan ...Petitioner

VS

1. V.Indira
2. S.Mahima Pandisree ...Respondents

Prayer: Civil Revision Petition filed Under Article 227 of the Constitution of India to set aside the docket order dated 20.07.2018 in I.A.No.4267 of 2018 in I.A.No.1496 of 2014 in O.P.No.2936 of 2012 on the file of the VI Additional Family Court, Chennai.

For Petitioners : Mr.R.Vijayaraghaven

ORDER

Since notice was not issued to the respondents while the docket order came to be passed, the present revision is taken up for final disposal without notice to the respondents, as no prejudice would be caused to the respondents.

2. The earlier application in I.A.SR.No.1192 of 2018 was filed only to review the order of the Family Court passed in I.A.No.1496 of 2014 and the rejection of the same will not disentitle the petitioner to challenge the order passed in I.A.4267 of 2018 to set aside the ex-parte order. Even otherwise, it is seen that the earlier application for review was not taken on file and had been rejected even before numbering of the same. As such, the present application seeking to set aside the ex-parte order will be maintainable. It is the submission of the learned counsel for the petitioner that the present application to set aside the ex-parte order has been rejected through a docket order and no fair order has been passed and the said docket order has been produced on 20.07.2018 before this Court.

3. In view of the above observations, the docket order passed in I.A.No.4267 of 2018 dated 20.07.2018 is set aside. Consequently, the learned VI Additional Principal Judge, Family Court, Chennai is directed to take the application on file and take further course of proceedings, in accordance with law.

4. Accordingly, the Civil Revision Petition stands ordered. No costs.

Consequently, connected Miscellaneous petition is closed.

01.11.2018

Internet:Yes
Index:Yes/No
hvk

To
The VI Additional Principal Judge,
Family Court,
Chennai.



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M.S.RAMESH, J.

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