

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.3451 of 2018

T.Nandhini

...Petitioner

vs

1.T.Muthukumar

2.The Sub Registrar,
Sub Registrar Office,
Perundurai,
Erode District.

...Respondents

Prayer: Civil Revision Petition filed Under Article 227 of the Constitution of India praying for a direction directing the Family Court, Erode, to entertain the plaint, in O.S.CFR.No.2772 of 2018, number the same.

For Petitioner : Mr.R.Prabakar

ORDER

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The relief sought in the plaint is to declare that there was no marriage held between the petitioner and the respondent and to declare the consequent registration as null and void.

2. In view of Section 7 of the Family Court Act and Section 9 of the Civil Procedure Code, the present suit is maintainable. Hence, the Registry of the Family Court, Erode is directed to number the suit in O.S.CFR.No.2772 of 2018, if it is otherwise in order. Such an exercise shall be completed within a period of one week from the date of receipt of copy of this order. In case, if the first respondent is of the view that the suit is not maintainable, it would be open to him to raise such question of maintainability as a defence at a later stage.

3. Registry of this Court is directed to return the original plaint to the petitioner's counsel.

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

सत्यमेव जयते

01.11.2018

nsd/vji

Internet: Yes
Index: Yes/No

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To

1.The learned Family Court,
Erode.

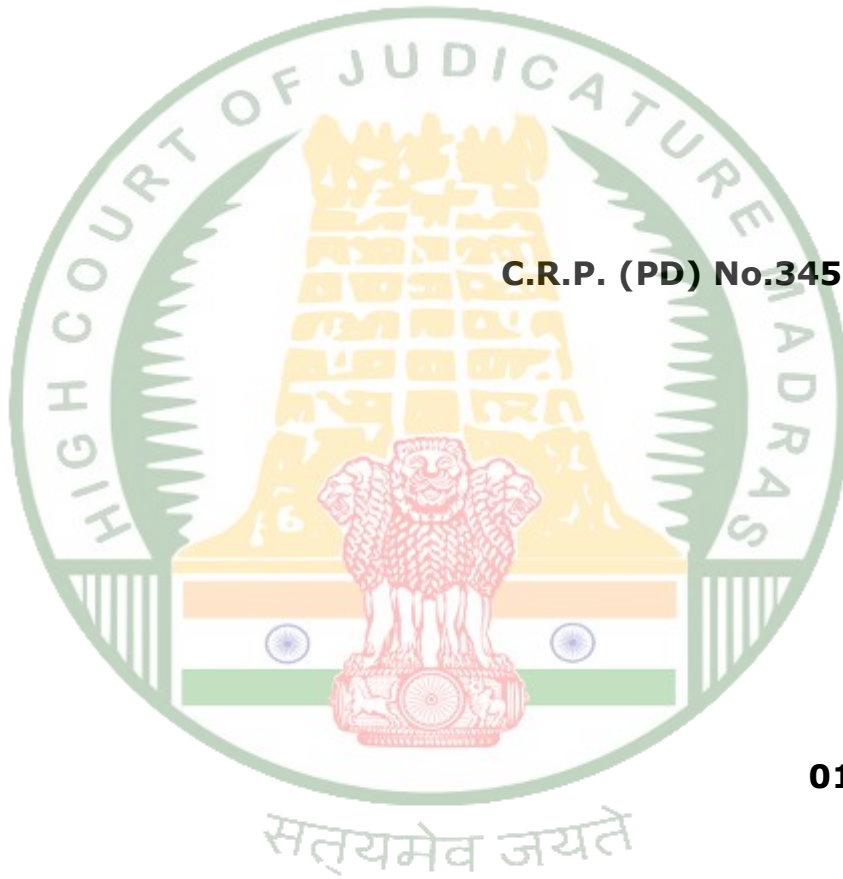
2.The Sub Registrar,
Sub Registrar Office,
Perundurai
Erode District.



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M.S.RAMESH, J.

vji/nsd



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