



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.V. MURALIDARAN

C.R.P.(MD)No.859 of 2018

WEB COPY

Logeswaran : Petitioner

-Vs-

Roobiya : Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the return order dated 05.04.2018 in unnumbered HMOP.No. .. of 2018 (SR.No.406/2018) passed by the Family Court, Thiruchirappalli.

For Petitioner : Mr.R.M. Sivakumar

O R D E R

This Civil Revision Petition has been filed against the return order, dated 05.04.2018 in un-numbered HMOP.No. .. of 2018 (SR.No.406/2018), passed by the Family Court, Thiruchirappalli.

2. The revision petitioner, who is the husband filed HMOP.No. .. 2018 (SR.No.406/2018) on the file of the Family Court, Thiruchirappalli and the same has been returned by the learned Judge stating that proof to be filed to show that both the parties lived together in Trichy, since the marriage took place between the petitioner and the respondent at Manamadurai.

3. Heard the learned counsel appearing for the petitioner.

4. It is the case of the petitioner that after marriage, both parties were living at Srirangam, Trichy District and therefore, he has filed a petition for divorce at Family Court, Trichy. But, the learned Judge has returned the same stating that there is no proof to show that both the petitioner and the respondent were lastly residing at Srirangam, for which, the petitioner has represented the same to the learned Judge by enclosing Adhaar Card, Ration Card, which was enclosed in page Nos. 13 and 14 of typed set of papers and also a third party affidavit of one Manikumar, S/o. Balaraman, dated 23.03.2018. Again, the learned Judge has returned the papers. Hence, the petitioner has filed the present Civil Revision Petition.

5. Considering the facts and circumstances, this Civil Revision Petition is disposed of, with the following directions:



(a). The learned Judge, Family Court, Thiruchirappalli, is directed to number the un-numbered HMOP, based on the Ration Card, Aadhar Card and the third party affidavit of one Manikumar, dated 20.02.2018, within a period of two weeks from the date of receipt of a copy of this order and thereafter, to dispose of the said HMOP within a period four months, after giving notice to both sides, without giving any further adjournment, at the time of hearing.

(b). Liberty is given to the respondent to make his objection in respect of jurisdiction at the time of hearing of the case."

No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Family Court, Thiruchirappalli.
2. The Record Keeper, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.M. Sivakumar, Advocate Sr.No.61878

TRP

VB/KKR/SAR3/30.05.2018/2P/5C

C.R.P. (MD) No.859 of 2018
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