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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.1727 of 2016

and

C.M.P. (MD) .Nos.8393 and 8394 of 2016

Maria Yoga Jansi Rani

... Petitioner/Petitioner/
1st Respondent

Vs.

Maria Anthony Joseph Vinod ... Respondent/Respondent/Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order dated 02.02.2016 passed in I.A.No.491 of 2015, in I.D.O.P.No.558 of 2013 on the file of the Principal District Judge, Tuticorin.

For Petitioner : Mr.G.Aravinthan
For Respondent : Mr.K.A.Raamakrishnan

ORDER

The revision petitioner is the respondent in I.D.O.P.No.558 of 2013 on the file of the learned Principal District Judge, Tuticorin. The parties got married on 10.01.2007. A girl child Angel was born through the said wedlock. The allegation of the respondent herein is that the revision petitioner is leading an adulterous life even while the marriage between the revision petitioner and the respondent is in existence and she has given birth to another child through such illicit relationship. The adulterer has been made as a co- respondent in the I.D.O.P. The revision petitioner herein filed I.A.No.491 of 2015 seeking interim maintenance. The Court below dismissed the said I.A. by order dated 02.02.2016. Challenging the same, the Civil Revision Petition is filed.

2. Heard the learned counsel for the petitioner as well as the learned counsel for the respondent.

3. This Court is of the view that since serious allegations have been made with regard to the very paternity of the second child, the Court below right dismissed the said I.A.No.491 of 2015. It is seen that the revision petitioner is also employed and the first child born to the revision petitioner is with the respondent herein. In such circumstances, this Court does not find any reason to interfere with the order passed by the Court below. Since the I.D.O.P. is of the year 2013, the Court below is directed to dispose of the I.D.O.P.No.558 of 2013 within a period of six months from the date of receipt of a copy of this order.



4. With the above direction, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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/True Copy/

Sd/-
Assistant Registrar (CS-III)

Sub Assistant Registrar (CS-II)

To

The Principal District Judge,
Tuticorin.

+1CC to Mr.K.A.Raamakrishnan, Advocate, SR.No. 86142

C.R.P. (MD).No.1727 of 2016
19.09.2018

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