



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

C.R.P.PD[MD]No.269 of 2016

and

C.M.P.[MD]No.1081 of 2016

Anand @ Anandkumar : Petitioner/Respondent/Petitioner
Vs.
T.Chitra : Respondent/Petitioner/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order passed by the Family Court, Madurai in I.A.No.239 of 2014 in H.M.O.P No.40 of 2014 on 26.12.2014 and allow the Civil Revision Petition.

For Petitioner : Mr.R.Thangapandian

For Respondent : Mr.B.A.Muruganantham

O R D E R

The revision petitioner filed H.M.O.P.No.40 of 2014 before the Family Court, Madurai for dissolving his marriage with the respondent herein. In the said petition, the respondent filed I.A.No.239 of 2014, for return of the jewelry said to have been taken away by the petitioner herein. The Court below allowed the said interlocutory application, by order dated 26.12.2014. The correctness of the said order is questioned in this Civil Revision Petition.

2.Heard the learned Counsel for the revision petitioner who reiterated the grounds set out in the memorandum of grounds.

3.The learned Counsel pointed out that the revision petitioner has not admitted that the jewelry in question are in his custody.

4.This Court concurs with the aforesaid submission of the petitioner's Counsel. But then, as rightly observed by the Court below there is a fair admission made by the revision petitioner in paragraph No.4 of the counter affidavit filed by him before the Court below. Even the revision petitioner has admitted that his wife had given him a sum of Rs.3,00,000/- [Rupees Three Lakhs only] for the purchase of the JCB vehicle. Since there is admission to this extent, the order passed by the Court below is modified and the revision petitioner is directed to return the said sum of



Rs.3,00,000/- [Rupees Three Lakhs only] to the respondent herein.

5. With this modification, this Civil Revision Petition is allowed. No costs. Consequently, the connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar(C.O)

/True Copy/

Sub Assistant Registrar(CS-IV)

MR
To
The Family Court,
Madurai.

+1cc to Mr.R.Thangapandian, Advocate in SR No.79987

C.R.P.PD[MD]No.269 of 2016

NM/RP/SAR 4/28.09.18/2P/3C