



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.10.2018**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.678 of 2016

and

C.M.P. (MD) No.3172 of 2016

Mariappan

... Petitioner

Vs.

1.Maheswari

2.Jegadeesan

... Respondents

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order passed in I.A.No.12 of 2014 in H.M.O.P.No.116 of 2010 dated 01.07.2015 on the file of the learned Subordinate Judge, Aruppukottai and allow this Civil Revision Petition.

For petitioner: Mr.M.Subash Babu

For R1 : Mr.A.Thiruvadikumar

For R2 : Mr.G.Marimuthu

ORDER

The petitioner herein filed H.M.O.P.No.116 of 2010 before the Sub Court, Aruppukottai, seeking dissolution of his marriage with the first respondent herein. In the said H.M.O.P., the revision petitioner filed I.A.No.12 of 2014 for taking the voice sample of the first respondent and one Sudhakar who is said to be the friend of the second respondent herein and obtaining an expert report by comparing the same with the tele-conversation recorded by the revision petitioner herein. According to the petitioner herein it took place between the first respondent and Sudhakar. The Court below by order dated 01.07.2015 dismissed the said I.A. Questioning the same, this Civil Revision Petition has been filed.

2.Heard learned counsel on either side.

3.As rightly pointed out by the Court below, the said Sudhakar is not a party to the present proceedings. Therefore, the question of subjecting the said Sudhakar for giving a voice sample will not arise at all. The Court below was right in dismissing the I.A. There is no merit in this case.



4. Accordingly, this Civil Revision Petition is dismissed.
No costs. Consequently, connected miscellaneous petition is also closed.

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Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar (CS-II)

To

The Sub Judge,
Aruppukottai.

+ 1 CC TO MR.A.THIRUVADIKUMAR, ADVOCATE IN SR NO.88778
+ 1 CC TO MS.G.M.LAW OFFICER, IN SR NO.88806

pnn

BU/NM/SV/SAR-2 :15.11.2018 : 2P/4C

ORDER MADE IN
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and
C.M.P. (MD) No.3172 of 2016
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