



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 12.09.2018
CORAM :
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (MD) No.1965 of 2018

J.Rupa

.. Revision Petitioner

vs.

M.Karthikeyan

.. Respondent

PRAYER : Civil Revision Petition filed under Article 227 of the Constitution of India, to number the petition in O.P.S.R.No.1620 of 2018 and to take the case on file for hearing under due process of law.

For Petitioner : Mr.M.Aswin

ORDER

Considering the nature of relief granted in the Civil Revision Petition, notice to the respondent is dispensed with.

2. The petitioner filed O.P.SR.No.1620 of 2018 before the learned Judge, Family Court, Dindigul, seeking the relief of annulment of her marriage with the respondent. The said OP has been returned by the Court below with the endorsement that the petitioner's consent is not required in view of Section 12(1) (c) of the Hindu Marriage Act, 1955.

3. A petition for annulment of the marriage can be filed on the ground that consent was obtained by fraud. In any event, the Court below can very well number the OP, leaving it to the respondent to raise all objections at a later point of time after he enters his appearance.

4. In this view of the matter, the Court below is directed to number the O.P.SR.No.1620 of 2018 and the Registry is directed to return the original petition filed by the revision petitioner herein.

5. The Civil Revision Petition is allowed accordingly. No Costs.

Sd/-

Assistant Registrar(AS)

/True Copy/



To

1. The Judge, Family Court,
Dindigul.

2. The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. **(2 copies)**

+1CC to Mr.M.Aswin, Advocate, SR.No.83950

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PJL
ES/RP/SAR 4/14.09.2018/2P/5C