



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2018

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CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P. (PD) (MD) .No.1992 of 2018

and

C.M.P. (MD) No.8770 of 2018

U.Rajalakshmi

... Petitioner

Vs.

M.Arumugasamy

... Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order of return in I.A.No.unnumbered of 2018 in I.A.No.123 of 2018 in H.M.C.M.A.No.unnumbered of 2018 on the file of the Principal District Judge, at Srivilliputhur dated 01.09.2018 and direct the Principal District Judge, Virudhunagar District at Srivilliputhur, to number the I.A.S.R.No.3385 of 2018 and allow the Civil Revision Petition.

For petitioner

: Mr.J.Jeyakumaran

For Respondent

: Mr.I.Suthakaran

ORDER

The revision petitioner herein was the respondent in H.M.O.P.No.165 of 2015 on the file of the Subordinate Judge, Aruppukottai. The said H.M.O.P., was allowed on 08.02.2018. The revision petitioner herein filed an appeal before the Principal District Judge, Virudhunagar at Srivilliputhur. But there was a delay of 106 days in filing the said appeal. The Court below declined to number the appeal and returned the same. In the meanwhile, the respondent has arranged to get remarried. The petitioner herein has approached this Court and this Court granted an interim order restraining the respondent herein from conducting another marriage.

2.The interim order granted by this Court shall continue till the disposal of H.M.C.M.A., filed by the revision petitioner herein. The First Appellate Court shall condone the delay occasioned in filing the appeal. The appeal itself shall be disposed of on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.



3. Accordingly, this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

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/True Copy/

Sub Assistant Registrar(CS-II)

To:

1. The Principal District Judge,
Virudhunagar District at Srivilliputhur.
2. The Subordinate Judge,
Aruppukottai.

Copy to

The Section Officer, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madruai.

+1cc to Mr.I.Suthakaran, Advocate Sr.No.88963
+1cc to Mr.J.Jeyakumaran, Advocate Sr.No.89165

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VB/SV/SAR2/28.11.2018/2P/7C

ORDER MADE IN
C.R.P. (PD) (MD) .No.1992 of 2018
and
C.M.P. (MD) No.8770 of 2018
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