



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE **G.R.SWAMINATHAN**

C.R.P(MD) (PD).Nos.2272 and 2273 of 2018

and

C.M.P(MD).Nos.10192 & 10193 of 2018

C.R.P(MD) (PD).No.2272 of 2018

Ramyadevi

Thro her Power Agent
and father Jeyaraman.

... Petitioner

Vs.

Krishnakumar

...Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the learned Subordinate Judge, Kovilpatti in I.A.No.99 of 2018 in HMOP.No.54 of 2017 dated 13.07.2018.

C.R.P(MD) (PD).No.2273 of 2018

Ramyadevi

... Petitioner

Thro her Power Agent
and father Jeyaraman.

Vs.

Krishnakumar

...Respondent

PRAYER: Petition filed under Article 227 of the Constitution of India, to set aside the order passed by the learned Subordinate Judge, Kovilpatti in I.A.No.100 of 2018 in HMOP.No.253 of 2017 dated 13.07.2018.

For Petitioner

: Mr.S.Ramasamy

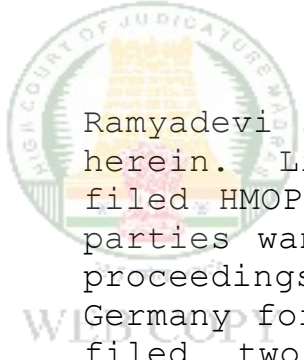
For Respondent

: Mr.Arun Swaminathan

(in both petitions)

COMMON ORDER

<https://hcservices.ecourts.gov.in/hcservices/> of 2017 on the file of the Subordinate Court, Kovilpatti, has been filed by the revision petitioner, namely,



Ramyadevi seeking dissolution of her marriage with the respondent herein. Likewise, the respondent herein, namely, Krishnakumar has filed HMOP.No.253 of 2017 for divorce. In other words both the parties want to dissolve their marriage. But then, there are two proceedings. The revision petitioner is presently said to be in Germany for higher studies. Therefore, her father Thiru.Jeyaraman filed two Interlocutory Applications in both HMOPs seeking permission to conduct/defend the proceedings on behalf of his daughter Ramyadevi/revision petitioner. The Court below, by orders impugned in these Civil Revision Petitions, dismissed both the Interlocutory Applications. Questioning the same, these Civil Revision Petitions have been filed.

2.Heard the learned counsel on either side.

3.It is true that the father of the revision petitioner cannot depose on those aspects that are within the knowledge of his daughter. But then, there cannot be any impediment for permitting the revision petitioner's father to conduct the proceedings on behalf of her. Therefore, taking note of the fact that the revision petitioner/Ramyadevi is presently abroad, this Court permits her father Thiru.Jeyaraman to conduct/defend the proceedings on behalf of his daughter/revision petitioner. But then, this can only mean that he can represent his daughter in a formal sense. He cannot do anything more.

4.In this view of the matter, both the orders impugned in these Civil Revision Petitions are set aside and these Civil Revision Petitions are allowed.

5.It is stated that at the instance of the respondent herein, this Court had given a direction for speedy disposal of both HMOPs. It is further stated that the time limit stipulated by this Court had already lapsed. This Court is able to understand that the Court below could not comply the direction of this Court on account of filing of these Interlocutory Applications. Therefore, the time limit imposed by this Court for conclusion of the proceedings will stand extended for a further period of six more months from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-I)

To

<https://hcservices.ecourts.gov.in/hcservices/>

1. The Subordinate Judge, Kovilpatti.



2. The Record Keeper, (2 copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+2cc to Mr.S.Ramasamy, Advocate Sr.No.91025 & 91026
+1cc to Mr. RM.Arun Swaminathan, Advocate Sr.No.91030

RMK

VB/BK/SAR1/30.11.2018/3P/7C

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