

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CIVIL REVISION PETITION No.5114 of 2017

ORDER:

Heard learned counsel for petitioner and learned counsel for respondent.

2. The Civil Revision Petition is filed by the petitioner/respondent aggrieved by the order dated 31.8.2017 in I.A.No. 24 of 2017 in FCOP No. 19 of 2016 on the file of Judge, Family Court –cum- VIII Additional Sessions Judge, Mahabubnagar dismissing the petition filed by the petitioner/respondent seeking a direction to the Airtel Company to produce the message extracts from 10.6.2016 to 31.7.2017 for Airtel No. 9986288855 sent to the father of the petitioner through BSNL No. 9440856075.

3. The petitioner is the respondent in FCOP No. 19/2016 filed by the respondent/petitioner under Section 13(i)(ia) of Hindu Marriage Act for dissolution of marriage. The trial is under way.

4. As per the petitioner, some messages with unparliamentary words commenting on the chastity of the petitioner were sent to her father's mobile by the respondent through his mobile and therefore, the petitioner seeks order to concerned telephone service providers to produce those

messages. The said petition is dismissed inter alia on the main observation that the respondent in his cross-examination admitted to the following effect:

“If any messages I received from my bother-in-law (sister’s husband) I will reply that I will convince the sister and also request him not to send such messages. I gave message to my father-in-law on mobile phone stating family of respondent as ‘LANJALAFAMILY’. I also gave message to my father-in-law over phone that my father-in-law will do business of prostitution through the respondent.”

5. On a perusal of the order impugned, I see no illegality or perversity in dismissing the petition in view of the reasons assigned therein.
6. There are no merits in the Civil Revision Petition and accordingly, the same is dismissed. There shall be no order as to costs.
7. As a sequel there to, miscellaneous applications, pending if any, shall stand closed.

U.DURGA PRASAD RAO, J

Date: 16.03.2018
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