

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

CIVIL REVISION PETITION No.5880 OF 2018

Date:16.11.2018

Between:

D.Nutan Pramod, S/o. Satyanarayana Murthy Dhara,
Aged 32 years, Occ:Busines, R/o.H.No.16-2-46/d/1,
Akber Bagh, Malakpet, Hyderabad.

... Petitioner

Vs.

Srilalitha, D/o.Ram Mohan Cheruvu,
Aged 27 yers, R/o.H.No.3-195/5/1,
Plot No.822, Nandi Hills, Hyderabad.

... Respondent

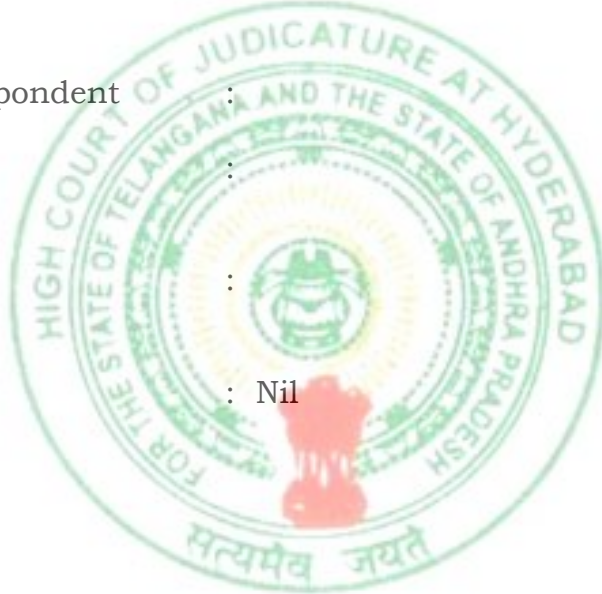
Counsel for Petitioner : Sri S.Ravi Kumar

Counsel for Respondent :

Gist :

Head Note :

Cases Referred : Nil



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ORDER:

Aggrieved by an order passed by the Family Court refusing to subject the wife to medical examination, to prove her mental condition, the husband, who sought nullity of marriage, has come up with the above revision.

Heard Mr.S.Ravi Kumar, learned counsel for the petitioner.

Admittedly, the petitioner has sought nullity of marriage on the ground that the respondent is suffering from a mental disorder and is taking treatment. The respondent has filed a counter denying the allegations.

Thereafter, the petitioner has taken out an application for subjecting the respondent to an examination by a Medical Board to prove her mental condition. In other words, what the petitioner is seeking is to subject the respondent to medical examination for proving his allegations. This cannot be done. No party can be compelled to give incriminating evidence against himself/herself. The proper course of action open to the petitioner, who has asserted that the respondent was undergoing medical treatment even before marriage, is to prove such allegations.

Therefore, the Civil Revision Petition is dismissed. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

V. RAMASUBRAMANIAN, J

16th November, 2018
JSU

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