

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2019

CORAM

THE HONOURABLE **Ms.JUSTICE P.T.ASHA**

CRP.(PD).No.1370 of 2019

Arunkumaar

..Petitioner/Petitioner

Vs

1.Mrinalini

2.Ramachandran

..Respondents/Respondents

This Civil Revision Petition filed under Article 227 of the Constitution of India to direct the learned III Additional Judge, Family Court, Chennai to issue a fresh decree by incorporating the name of the second respondent in I.A.No. 6670 of 2018 in O.P.No.1786 of 2016.

For Petitioner : Mr.M.Muthuappan

ORDER

The above Civil Revision Petition is filed seeking for direction to the learned III Additional Judge, Family Court, Chennai, to issue a fresh decree by incorporating the name of the second respondent in I.A.No.6670 of 2018 in O.P.No. 1786 of 2016.

2 H.M.O.P.No. 1786 of 2016, was filed by the revision petitioner/husband against the wife and one Ramachandran, who is arrayed as the second respondent in the petition and whose name features in the common judgment that has been passed in

O.P.No.3186 of 2015 and O.P.No. 1786 of 2016. However, the name of the Second respondent Ramachandran has not been incorporated in the decree in O.P.No. 1786 of 2016. The application, which is the subject matter of revision, has been filed only to correct the decree to be in consonance with the petition as well as the Judgment and the said application has been filed under Section 152 of the Code of Civil Procedure. The learned III Additional Family Judge has adopted the procedural formality and issued notices to the respondents when it is purely a typographical error that has crept in which learned Judge would have himself amended the decree.

3 The learned Judge is therefore directed to forthwith carry out amendment and issue fresh decree copy to the revision petitioner without insisting upon service of notice on the second respondent who admittedly has remained ex-parte in the proceedings.

In the result, the Civil Revision Petition stands allowed. No costs.

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10.04.2019

P.T.ASHA, J.

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Index: Yes/No
Internet: Yes/No
Speaking order / Non-speaking order

Note: Issue order copy on 26.04.2019

To

The learned III Additional Judge,
Family Court,
Chennai

CRP.(PD).No.1370 of 2019



WEB COPY 10.04.2019

C.R.P.No. 1370 of 2019**P.T.ASHA, J.**

Today, the matter was posted under the caption "for Being Mentioned" at the instance of the learned counsel for the petitioner.

2 The learned counsel for the petitioner would submit that in the first paragraph of the order dated 10.04.2019, it has been mentioned as "O.S.No.1786 of 2018" instead of "O.P.No.1786 of 2019". Likewise, in seventh line of second paragraph, it has been mentioned as O.S.No.3186 of 2015 in stead of O.P.No.1786 of 2016. Hence prays for appropriate corrections.

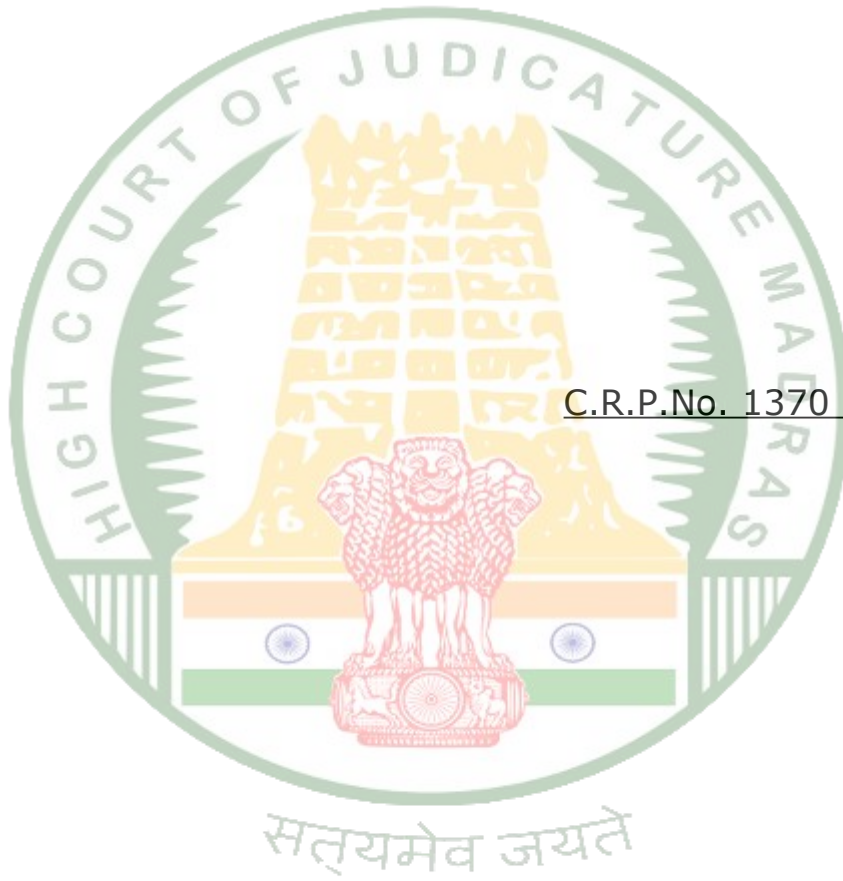
3 The above corrections shall be incorporated and the Registry is directed to re-issue fresh order copy to the parties concerned.

26.04.2019

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Note: Issue order copy on 26.04.2019

P.T.ASHA, J.
dua



C.R.P.No. 1370 of 2019

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