



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2020

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.R.C. (MD) .No.141 of 2016

and Crl.M.P. (MD) .No.2151 of 2016

WEB COPY

Kalyanasundaram

.. Petitioner/Respondent

Vs.

1.Muthanantham @ Premalatha
2.Minor K.Muthu Priyatharshan
(Minor is represented through
his mother 1st respondent)

.. Respondents/Petitioners

PRAYER: Criminal Revision Case, filed under Section 397 and 401 of the Criminal Procedure Code, to call for the records relating to the order, dated 24.11.2015 in M.C.No.6 of 2012 on the file of the Family court, Madurai and set aside the same.

For Petitioner : Mr.A.Balaji

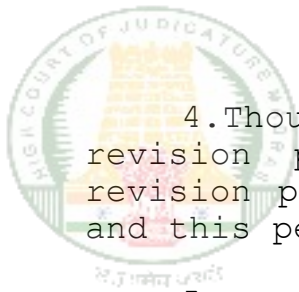
For Respondents : Mr.Dhilipan Pandi for Mr.R.Anand for R1

ORDER

This Criminal Revision Case has been filed against the order dated 24.11.2015, passed by the learned Judge, Family Court, Madurai, in M.C.No.6 of 2012.

2.A perusal of the records reveals that the revision petitioner has earlier filed a revision petition in Crl.R.C.(MD)No.47 of 2016 on 01.02.2016 as against the order passed by the learned Judge, Family Court, Madurai, in M.C.No.6 of 2012 and also obtained an order of interim stay on 03.02.2016. Subsequently, this revision petitioner has also filed the present revision petition as against the very same order of Family Court, Madurai, in M.C.No.6 of 2012, which was challenged in Crl.R.C.(MD).No.47 of 2016, obtained an order of interim stay on 10.03.2016, in this revision petition also. Further, it is seen that Crl.R.C.(MD).No.47 of 2016 was also dismissed after hearing both sides on 10.07.2020.

3.Mr.Balaji, learned counsel for the petitioner submits that the lower Court counsel without the knowledge of the revision petitioner has engaged a counsel and filed the first revision petition in Crl.R.C.(MD).No.47 of 2016. The second revision petition has been filed, on the instructions of the revision petitioner, without the knowledge of the earlier revision petition filed through his counsel. Mr.Balaji, learned counsel for the petitioner also submitted that two days back, the father of the revision petitioner has also succumbed to COVID - 19.



4.Though some reasons have been adduced on behalf of the revision petitioner, filing of two revision petitions by the revision petitioner as against the very same order is unacceptable and this petition is liable to be dismissed with costs.

5.Accordingly, this criminal revision petition is dismissed with cost of Rs.10,000/- (Rupees Ten Thousand only), which shall be paid to the respondents/petitioners by the petitioner/respondent, within a period of one month from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed.

6.Registry is directed to return the papers and send a copy of the order to the Family Court, Madurai and also ensure that the cost of Rs.10,000/- is duly paid to the respondents/petitioners by this revision petitioner.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Judge, Family Court,
Madurai.

(With a request to file a report as to the compliance of the directions of this court by the revision petition)

Copy to:

1.The Additional Registrar general,
Madurai Bench of Madras High Court, Madurai.

2.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.

3.The Record Keeper,
E.R.Section,
Madurai Bench of Madras High Court, Madurai.

**Crl.R.C. (MD) .No.141 of 2016
12.08.2020**