



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2021

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

C.R.P (MD)No.1979 of 2021 &
CMP (MD)No.10622 of 2021

B.Senthil Kumar ... Petitioner/Petitioner/Respondent
Vs.

R.Bhavani ... Respondent/Respondent/Petitioner

PRAYER:- Civil Revision Petition filed under Article 227 of Constitution of India, to allow the civil revision petition to number the unnumbered IA.No. of 2021 in HMOP.No.736 of 2018 dated 22.09.2021 on the file of the learned Family Judge, Madurai.

For Petitioner : Mr.G.Rajaguru

ORDER

The petitioner has filed this civil revision petition for a direction to the learned Family Judge, Madurai to number the Interlocutory Application filed by him on 31.08.2021.

2. The Interlocutory Application was returned seeking clarification as to how the present petition is maintainable when the previous petition had been ordered on condition. The petitioner had re-presented the papers, not answering the ground of return, but stating that he had undergone surgery. It is also seen that a simultaneous application has been moved by the petitioner in IA.No.659 of 2021 which was dismissed by the learned Family Judge, Madurai on 19.08.2021, against which, a civil revision petition was filed by the petitioner in CRP(MD)No.1451 of 2021, which was also dismissed by this Court. After the matter was re-presented by the petitioner, the learned Judge once again returned the petition stating as to how the present petition is maintainable, without mentioning it with clarification. Hence, petitioner/husband has approached this Court.

3. The Civil Revision Petition is dismissed since the petitioner has not answered the return made by the learned Family Judge, Madurai. However, the petitioner/husband is directed to re-present the petition before the Court below and if the learned Judge is convinced with the reason given in the re-representation, he



shall number the same or else shall call it to the open Court and pass orders on merits. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (P&A)

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Sub Assistant Registrar(CS)

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To

The Family Judge,
Madurai.

+1 CC to M/s.G.RAJAGURU, Advocate (SR-39225[F] dated 17/12/2021)
C.R.P (MD)No.1979 of 2021
16.12.2021

ARK(CO)

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