



C.R.P.(PD) No.378 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 01.03.2022

CORAM : JUSTICE N.SESHASAYEE

C.R.P.(PD) No.378 of 2022  
and C.M.P.No.1959 of 2022

P.Arunkumar ... Petitioner / Respondent / Petitioner

Vs.

K.Vidhya @ Durga ... Respondent / Petitioner / Respondent

**Prayer :** Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the Sub Court, Tambaram, to conduct joint trial in HMOP.No.692 of 2017 and HMOP.No.830 of 2017 on the file of the Sub Court, Tambaram by treating the evidence of PW1 in HMOP.No.692 of 2017 as the evidence in both the cases and proceed with the trial accordingly.

For Petitioner : Mr.J.Saravana Vel

For Respondent : Mr.Ravichandran Sundaresan



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### **ORDER**

1.1 This revision is filed seeking a direction to the learned Sub Judge, Tambaram for consolidating HMOP.No.692 of 2017 filed by the respondent for restitution of conjugal rights and HMOP.No.830 of 2017, which the revision petitioner has filed for dissolution of the marriage.

1.2. Since there is no formal order passed by the Sub Court, Tambaram for joint trial of both the matters and since the learned Sub Judge is stated to have indicated that his intent is to try both the matters simultaneously, apprehending a possible conflict of decisions, the revision petitioner/husband of the respondent is before this Court.

3. This Court vide its order dated 17.02.2022 has called for remarks of the learned Judge. The report of the learned Sub Judge dated 24.02.2022 has been received.

4. On a reading of the report, it became apparent that notwithstanding the fact that no separate order for consolidating HMOP.No.692 of 2017 and



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HMOP.No.830 of 2017 was made, the respondent has filed a consolidated proof affidavit in both the matters. The learned Sub Judge, Tambaram has also indicated that his only intent is to try both the matters jointly. The said report is recorded.

5. In view of the same, no separate order or a specific order indicating that he would be proceeding with the joint trial of the matter is required. Accordingly, this revision petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

01.03.2022

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Index : Yes / No

Internet : Yes / No

Speaking order / Non-speaking order

Note : Issue order copy on 04.03.2022



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N.SESHASAYEE.J.,

ds

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