



C.R.P(NPD).No.1882 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM :

THE HONOURABLE MS. JUSTICE R.N.MANJULA

C.R.P.(NPD).No.1882 of 2022

P.Prakash

... Petitioner

..Vs..

1.A.Chitra

2.V.Suresh

... Respondents

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of

India, against the order dated 08.04.2022 made in M.P.Sr.No.1998 of 2022 in

F.C.O.P.No.3127 of 2009 on the file of the learned Principal Family Judge,

Chennai.

For Petitioner : Mr.R.Vigneshkumar

ORDER

This Civil Revision Petition has been preferred, challenging the order of the learned Principal Family Judge, Chennai, dated 08.04.2022, made in M.P.Sr.No.1998 of 2022 in F.C.O.P.No.3127 of 2009.



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2.The petitioner is the husband, who has filed H.M.O.P.No.3338 of 2009 for dissolution of marriage. During the pendency of the said proceedings, he filed a petition for issuing the copies of certain documents, which formed part of the earlier proceedings taken by the first respondent/wife, in connection with F.C.O.P.No.3127 of 2009.

3.The learned trial Judge has allowed the grant of certified copy of the petition alone and the copies of documents filed in F.C.O.P.No.3127 of 2009 was not granted by observing that the petitioner is a 3rd party. Aggrieved over that, the petitioner/husband has preferred this revision.

4.The learned counsel for the petitioner submitted that the first respondent who is the wife of the petitioner, has suppressed her earlier marriage with the second respondent and the connected proceedings taken in this regard in F.C.O.P.No.3127 of 2015 on the file of the Principal Family Court, Chennai. It is further submitted that the said petition was disposed on 08.04.2022 and the documents filed in the said proceedings are relevant to the proceedings filed by the petitioner/husband in H.M.O.P.No.3338 of 2009, to establish the alleged deplorable conduct of the first respondent.



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5.The first respondent has filed her counter in H.M.O.P.No.3338 of 2015, in which, she has stated about the proceedings taken by her against the second respondent, by alleging that he had created false marriage certificate against her. The relief sought by her was to declare the alleged marriage as “null and void” and the same was granted by allowing F.C.O.P.No.3127 of 2009 on 10.04.2012.

6.Now the petitioner has prayed to grant copies of the documents like Police complaint, lawyer's notice, a letter to the Registrar and the marriage certificate involved in the earlier proceedings in F.C.O.P.No.3127 of 2009. According to the petitioner, they are relevant to the proceedings filed by him in H.M.O.P.No.3338 of 2015. Had the first respondent/wife denied the earlier proceedings in F.C.O.P.No.3127 of 2019, there may be some justification in the statement that the first respondent suppressed certain facts and they should be established.

7.When the first respondent herself admitted the proceedings involved in F.C.O.P.No.3127 of 2019, the revision petitioner being a 3rd party, is not entitled to get the certified copy of the documents filed by the first respondent in



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F.C.O.P.No.3127 of 2019, on the pretext that they are necessary documents for the proceedings in H.M.O.P.No.3338 of 2015. In fact, the earlier proceedings are in no way relevant to the present proceedings. The learned trial Judge has rightly rejected the request for the grant of copies of the impugned documents. I do not find any ground for interference.

8.Accordingly, the Civil Revision Petition is dismissed and the order dated 08.04.2022 made in M.P.Sr.No.1998 of 2022 in F.C.O.P.No.3127 of 2009 on the file of the learned Principal Family Judge, Chennai, is hereby confirmed. No costs.

21.06.2022

vkx

Index:Yes No

Speaking Order:Yes/No

To

- 1.The Principal Family Judge,
Chennai.
- 2.The Section Officer,
VR Section, Madras High Court,
Chennai.

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R.N.MANJULA,J.

Vkr

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