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CMP(MD).



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Friday, the Eighth day of July Two Thousand
and Twenty Two

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CMP(MD)No.2458 of 2022

in

CRP(MD)No.1979 of 2021

B.Senthil Kumar

... Petitioner/Petitioner

Vs

R.Bhavani

... Respondent/Respondent

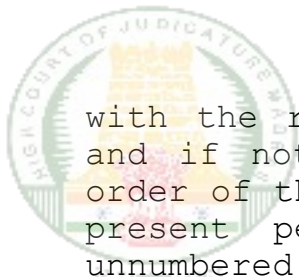
Prayer in CMP(MD)No.2458 of 2022 :- Civil Miscellaneous Petition filed under Section 151 of C.P.C., to return the original impugned petition in unnumbered IA. of 2021 in HMOP.No.736 of 2018 on the file of the Learned the Judge, Family Court, Madurai pending disposal of the revision petition and thus render justice.

Prayer in CRP(MD)No.1979 of 2021:- 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 the Judge, Family Court, Madurai.

ORDER:- This Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.G.Rajaguru, Advocate for the Petitioner, this Court made the following order:-

This application has been filed to return the original impugned petition in unnumbered I.A.No. Of 2021 in H.M.O.P.No.736 of 2018, on the file of the Family Court, Madurai.

2.CRP(MD) No.1979 of 2021 has been filed by the petitioner to direct the learned Family Judge, Madurai to number the Interlocutory Application filed by him on 31.08.2021. This Court, by order dated 16.12.2021 dismissed the said Civil Revision Petition on the ground that the petitioner has not answered the return made by the trial Court. The petitioner was also directed to re-present the petition before the trial Court and if the trial Court is convinced



with the reasons given in the re-presentation, IA may be allowed and if not, decide the issue on merits. Pursuant to the earlier order of this Court, dated 16.12.2021, the petitioner has filed this present petition to return the original impugned petition in unnumbered I.A.No. of 2021 in H.M.O.P.No.736 of 2018.

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3. Since the main CRP(MD) No.1979 of 2021 itself was disposed of by this Court as early as on 16.12.2021 and also the petitioner has to represent the unnumbered I.A.No. of 2021 in H.M.O.P.No.736 of 2018, this petition is allowed. Registry is directed to return the unnumbered I.A.No. of 2021 in H.M.O.P.No.736 of 2018 to the petitioner after getting necessary acknowledgment.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TO

The Judge,
Family Court,
Madurai.

Copy to

The Section Officer, E.R.Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 08/07/2022

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ORDER

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CMP(MD)No.2458 of 2022

in

CRP(MD)No.1979 of 2021

Giving direction and etc.
as stated within.

KB(15.07.2022) 2P 3C