



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.03.2022

CORAM:

THE HONOURABLE MRS. JUSTICE S.ANANTHI

C.R.P (MD) .No.647 of 2022

and

C.M.P (MD) No.2634 of 2022

V.Gengaram

...Revision Petitioner/Petitioner/Petitioner

Vs.

A.J.Sowmiya

...Respondent/Respondent/Respondent

PRAYER : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 02.03.2022 passed in I.A.No.92 of 2022 in O.P.No.87 of 2021 on the file of Family Court, Madurai.

For Petitioner : Mr.K.Jeyamohan

O R D E R

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 02.03.2022 passed in I.A.No.92 of 2022 in O.P.No.87 of 2021 on the file of Family Court, Madurai.

2.I.A.No.92 of 2022 in O.P.No.87 of 2021 was filed by the revision petitioner under Order 18 Rule 17 and Section 151 of Civil Procedure Code, to recall PW1 for marking documents, which was dismissed by the learned Judge, Family Court, Madurai. Aggrieved by the said order, the revision petitioner has filed this Civil Revision Petition.

3.Considering the nature of relief to be granted, issuance of notice to the respondent is dispensed with.

4.A perusal of records show that the revision petitioner has filed the petition to mark the documents, which was received by him under RTI Act, through PW1. However, the said petition was filed without the documents. Therefore, the trial Court has rightly dismissed the said I.A.No.92 of 2022. This Court finds no valid reason to interfere with the order of the Court below.

5.In view of the above, this Civil Revision Petition is dismissed with liberty to the petitioner to file receive document

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petition and after deciding the petition on merits, Since the document in question is the complaint given before filing of O.P, if the petitioner files any recall petition, the same shall be allowed by the trial Court. No costs. Consequently connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

31/03/2022

Sub Assistant Registrar(CS)

vsd

To
The Judge
The Family Court,
Madurai.

C.R.P (MD) .No.647 of 2022
and
C.M.P (MD) No.2634 of 2022
25.03.2022

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