



WEB COPY



CRP(MD)No.1467 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CRP(MD)No.1467 of 2022
and
CMP(MD)No.6074 of 2022

Kadalrajan

: Petitioner

Vs.

1.Malarkodi

2.The District Collector,
Dindigul District.

: Respondents

PRAYER: Civil Revision Petition filed under Section 115 of the Civil Procedure Code to call for the records pertaining to the order dated 06.04.2022 passed by the Sub Court, Dindigul, in P.O.P.No.1 of 2014 and set aside the same.

For Petitioner : Mr.M.Jothi Basu

For Respondents : Mr.M.Sarangan,

Additional Government Pleader for R.2

ORDER

The first respondent / wife has filed an application in P.O.P.No.1 of 2014 under Order 33 Rule 5 CPC seeking exemption from paying the Court fee to file a



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suit for maintenance. The learned Principal Subordinate Judge, Dindigul, by order dated 06.04.2022 allowed the application. Aggrieved over the same, the petitioner has moved the instant revision.

2.Learned Counsel for the petitioner submitted that the trial Court has allowed the application filed under Order 33 Rule 5 CPC without ascertaining the first respondent's financial condition through the revenue officials. However, he further submitted that pending this revision, the order of the trial Court has been given effect to and the suit has been numbered as O.S.No.273 of 2022.

3.The suit is filed for maintenance and the same has also been numbered. In view of the subsequent development, this Court is not inclined to entertain this revision at this stage. Accordingly, this civil revision petition stands disposed of, with liberty to the petitioner raise all the grounds before the trial Court. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Index : Yes / No
Internet : Yes
gk

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To

- 1.The Principal Subordinate Judge,
Dindigul.
- 2.The District Collector,
Dindigul District.



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B.PUGALENDHI, J.

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