



Rev.Appl.Nos.39 & 40 of 2010

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2023

CORAM:

THE HONOURABLE MR JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MRS JUSTICE R.KALAIMATHI

Review Application Nos.39 & 40 of 2010

K.Kanniappan

...Appellant in both application

Vs.

K.Devika

...Respondent in both application

Prayer: Review Applications filed under Order 47 Rule 1 & 2 r/w. Section 114 of C.P.C., against the judgment and decree dated 24.03.2008 made in C.M.A.Nos.1824 & 1825 of 2003.

For Applicant : Mr.M.Kalyanasundaram, Senior Counsel
for Mr.B.Vasudevan in both applications

For Respondents : Mr.A.Ganesan in both applications



COMMON ORDER

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(Order of the Court was made by R.SUBRAMANIAN, J.)

The review is sought for on ground that the counsel had without instructions submitted that the respondent in the appeal would settle the house property in the name of the children but that is not the fact. The order of the Division Bench dated 24.03.2008 shows that the respondent, who was present in Court had offered to pay Rs.500/- to the wife per month and Rs.5,000/- per year towards maintenance of the children and settle the house property in the name of the children. The observations of the Division Bench in Paragraph 8 of the order reads as follows:-

“8. We in our turn called the parties to find out as to whether there is any possibility for re-union among them. Even before us, in spite of the persuasion there is no progress for re-union of the parties. However, the respondent submits that he is ready to give a sum of Rs.500/- per month to the wife and Rs.5,000/- per year towards the maintenance of the children and settle the house property in the name of the children.”



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2. Therefore, the review itself is sought for on a false pretext. In

view of the above, these Review Applications are dismissed with a cost of Rs.50,000/- payable by the review petitioner to the respondent within a period of two weeks from today .

(R.S.M.,J.) (R.K.M.,J.)
21.07.2023

kkn

Internet:Yes/No

Index:Yes/No

Speaking/Non-speaking order

Nuetral Citation : Yes/No



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R.SUBRAMANIAN, J.
and
R.KALAIMATHI, J.

KKN

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