



C.R.P.No.703 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2023

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Civil Revision Petition (PD).No.703 of 2023
and
Civil Miscellaneous Petition No.5510 of 2023

M.P.Srikumaran

... Petitioner

Vs.

R.Mrudhula

... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the orders of the learned III Additional Family Judge, Chennai, dated 03.01.2023 in I.A.No.2 of 2022 in H.M.O.P.No.1376 of 2022 by allowing this Civil Revision Petition.

For Petitioner : Mr.P.Munuswamy

For Respondent : Mr.K.Balasubramaniam

ORDER

This Civil Revision Petition filed to set aside the order dated 03.01.2023 in I.A.No.2/2022 in H.M.O.P.No.1376/2022 passed by the learned III Additional Family Judge, Chennai.



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2. According to the learned counsel for the petitioner, the respondent sought for permission to go into the house of the petitioner and take the articles as per the list enclosed therewith and that the trial Court has committed an error in passing the order, directing the petitioner to hand over the articles under Section 27 of the Hindu Marriage Act and sought for setting aside the order on that ground.

3. As seen from the records, though the respondent has filed an application under Section 27 of the Hindu Marriage Act, seeking to permit her to go to the house of the petitioner and take out the articles, learned III Additional Principal Family Judge has diligently passed an order directing the petitioner herein to return the articles as per the list enclosed by the petitioner in the counter and the request of the respondent to permit her to go to the house of the petitioner to take the articles was declined. Therefore, on that ground, the petitioner herein cannot seek for setting aside the order passed by the trial Court itself.

4. The learned counsel appearing for the respondent has submitted that though the petitioner has been demanding the respondent to return some



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Jewellery, “Mangalsutram” cannot be asked to be returned as long as the marriage between the petitioner and the respondent subsists.

5. Considering the said circumstances, the orders passed by the trial Court in I.A.No.2 of 2022 cannot be interfered with. Further, the counsel for the respondent requested to advise his client to return the Jewels and other articles apart from “Mangalsutram” if they are available with her.

6. With the above observations, the Civil Revision Petition is disposed of. No order as to costs. Consequently, the connected miscellaneous petition is closed.

12.04.2023

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1. The Judge, XXII Additional City Civil Court, Allikulam, Chennai.
2. The Judge, XV Small Causes Court, Chennai.



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Dr. JUSTICE D. NAGARJUN, J.,

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