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C.R.P.No.1571 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE Dr.JUSTICE D.NAGARJUN

C.R.P.No.1571 of 2023

and

CM.P.No.10281 of 2023

1.Sanam Parvathy

2.Minor R.Sanam Varada Ababdakumar Reddy.

Represented by his mother and Natural Guardian
Petitioners

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Vs.

1.Rajasekara Reddy

2.The Commandant,

C.I.S.F.Unit, RAPS, HWP Rawabhata,

Sentab Colony, Chittorgarh, Rajasthan - 303305.

3.The Director General,

C.I.S.F. Block No.13, CGO Complex Lodhi Road,

Jawaharlal Nehru Stadium Marg,

Pragati Vihar, New Delhi - 110003.

...

Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order passed in I.A.No.4 of 2022 in O.S.No.2 of 2019 on the file of the Family Court, Thiruvallur dated 03.03.2023.

For Petitioner : Mr.K.Balaji



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ORDER

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This revision petition is filed, questioning the orders passed in I.A.No.4 of 2022 in O.S.No.2 of 2019 on the file of the Family Court, Thiruvallur dated 03.03.2023, wherein the request of the petitioners to implead the employer of the defendant No.1 was declined by the Court.

2. The petitioners have filed a suit against the defendant / respondent No.1, seeking declaration that the first petitioner / first plaintiff is the legally wedded wife of the respondent No.1 and that the petitioner / plaintiff No.2 is the child born to the first petitioner / plaintiff through respondent / defendant No.1. The petitioners have filed an application in I.A.No.4 of 2022 in O.S.No.2 of 2019, seeking to implead the employer of the defendant No.1 which is C.I.S.F., as defendants in the suit.

3. It is to be noted that the petitioners are seeking for a declaration that the first petitioner is the legally wedded wife of the respondent No.1 and there are no averment or prayer, seeking a direction to enter the name of the petitioners as the wife and son of the respondent / defendant No.1 in the service register belong to the respondent / defendant No.1. Therefore, as



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long as the issues before the Court are to be decided between the parties, it has nothing to do with the employer sought to be impleaded and the request of the petitioners to implead the employer as defendants, has been rightly declined by the Trial Court.

4. Considering the circumstances, this Civil Revision Petition is dismissed at this stage. However, the petitioners are at liberty to move the Trial Court through an appropriate application, seeking for amendment of the pleadings, in case, if they are advised so, seeking for a direction to enter the name of the petitioners as wife and son of the respondent defendant No.1 in the service register pertaining to the respondent / defendant No.1. No Costs. Consequently, connected Civil Miscellaneous Petition is closed.

19.06.2023

Index :Yes/No
Internet:Yes/No
Neutral Citation Case: Yes/No
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To

1. The Family Court, Thiruvallur
2. The Section Officer,
V.R.Section, High Court of Madras.



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Dr.D.NAGARJUN, J.

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