



C.R.P.No. 4875 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

THE HONOURABLE Mrs. JUSTICE T.V.THAMILSELVI

C.R.P.No. 4875 of 2023

M. Santhiyasri @ Jageerabanu

.. Petitioner

Vs

S. Zaheer Hussain

.. Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the trial Court to number the un-numbered suit filed by the revision petitioner in O.S.SR.No.163 of 2023 on the file of the District Munsif Court, Perundurai.

For Petitioner : Mr. G. Munusamy

ORDER

This Civil Revision Petition is filed to direct the trial Court to number the un-numbered suit filed by the revision petitioner in O.S.SR.No.163 of 2023 on the file of the District Munsif Court, Perundurai.



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2. Before the trial Court, the plaintiff / petitioner herein filed the suit for dissolution of the marriage as per The Dissolution of Muslim Marriage Act, 1939 but the trial Judge returned the said plaint stating that only family Court alone is having jurisdiction.

3. Admittedly as per the Act, the Civil Court is having jurisdiction. The return made by the trial Judge shows non application of the mind. Therefore finding is set aside. The trial Court is directed to take O.S.SR.No.163 of 2023 on file within two weeks from the date of receipt of copy of this order.

4. In the result, the Civil Revision Petition is allowed. No costs.

5. Registry is directed to return the plaint.

21.12.2023

Index :Yes/No

Neutral Citation :Yes/No

AT

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To
The District Munsif Court, Perundurai.



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T.V.THAMILSELVI, J.

AT

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