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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.2227 of 2022

Balamurugan

... Petitioner/Petitioner/
Petitioner

Vs.

Nagalakshmi

... Respondent/Respondent/
Respondent

Civil Revision Petition is filed under Article 227 of the Constitution of India, to direct the learned Principal District Judge, Thanjavur, to number the unnumbered I.A.No..... of 2022 in G.O.P.No.53 of 2020 on the file of the Principal District Court, Thanjavur.

For Petitioner
For Respondent

:Mr.T.R.Subramanian
:Mr.S.Sankar

ORDER

The Civil Revision Petition is filed to direct the learned Principal District Judge, Thanjavur, to number the unnumbered I.A.No..... of 2022 in G.O.P.No.53 of 2020 on the file of the Principal District Court, Thanjavur.



2.The petitioner is the husband and the respondent is the wife. The petitioner has filed G.O.P.No.53 of 2020 before the Principal District Court, Thanjavur, seeking guardianship of the minor child. The learned Judge has dismissed the said G.O.P and gave visitation rights to the petitioner.

3.As per the direction of the trial Court, the petitioner filed a petition for visitation of minor daughter, on 07.02.2022 and he served notice to the respondent on 08.01.2022 by way of registered post to have the visitation of minor daughter. Since the respondent did not show any response regarding visitation rights, the petitioner filed the present I.A to execute the arrangement of visitation.

4.The said I.A was returned by the learned Judge on 14 02.2022 for certain compliance. Thereafter, the petitioner represented the same on 18.03.2022. Again the learned Judge returned the I.A several times and finally returned on 30.08.2022.

5.The learned counsel appearing for the petitioner submitted that the petitioner represented the I.A.No.... of 2022 along with representation delay petition to condone the delay of 19 days. The said delay petition was allowed on 02.08.2022 and thereafter, the petitioner represented the unnumbered I.A on 23.08.2022, finally the learned Judge returned the said



I.A on 30.08.2022 with an endorsement “this petition may be filed under the correct provision of the law”. Therefore, he sought for a direction to number the unnumbered I.A.

6.Considering the facts and circumstances of the case, this Court directs the Petitioner to comply with the returns properly and on such representation, the learned Principal District Judge, Thanjavur, is directed to take the unnumbered petition filed by the petitioner on file and to dispose of the same on merits and in accordance with law as expeditiously as possible.

7.With the above direction, this Civil Revision Petition is disposed of.
No costs.

07.07.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
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**Note:Registry is directed to return
the original documents to the petitioner
after substituting the same with Xerox copies.**



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K.GOVINDARAJAN THILAKAVADI, J.

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To

- 1.The Principal District Judge,
Thanjavur.
- 2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

C.R.P(MD)No.2227 of 2022

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