



CRP(PD)(MD).No.2542 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRP(PD)(MD).No.2542 of 2023

Joshua

: Petitioner/Petitioner

Vs.

Febia Sharon

: Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the return order, dated 18.08.2023 in unnumbered I.D.O.P.No. ... of 2023 on the file of the Principal District and Sessions Court, Srivilliputhur and number the same by taking on file and allow this Civil Revision with costs throughout.

For Petitioner : Mr.S.Selva Aditya

ORDER

The Civil Revision Petition is directed against the order of return, dated 18.08.2023 in unnumbered I.D.O.P.No. ... of 2023 on the file of the Principal District and Sessions Court, Srivilliputhur.



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2. The learned counsel for the petitioner would submit that the petitioner has filed a petition seeking divorce under the Indian Divorce Act before the learned Principal District Judge, Virudhunagar, Srivilliputhur and the same was returned for the first time, vide order dated 28.06.2023, directing the petitioner to produce the passport size photo and duplicate copy of the petition and thereafter, the same was represented after rectifying the defects already pointed out, but the petition was again returned on 19.07.2023 raising six more queries. After returning the petition thrice, the impugned return was made on 18.08.2023, stating that the prior directions No.3 and 6, dated 19.07.2023 holds good.

3.As rightly pointed out by the learned counsel for the petitioner, though the I.D.O.P., came to be filed on 14.06.2023, the petition was returned again and again. It is pertinent to note that this Court has already deprecated the practice of piecemeal returns.

4. Considering the above, the returns made by the learned Principal District and Sessions Judge, Srivilliputhur, is not proper and not in



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accordance with law. Hence, the petitioner is directed to represent the petition and on such representation, the learned Principal District and Sessions Judge, Srivilliputhur, is directed to take the petition on file, if it is otherwise in order and proceed with the same.

5. With the above observation and direction, the Civil Revision Petition is disposed of. No costs.

04.10.2023

Note : The Registry is directed to return the original petition, filed along with this revision to the learned counsel for the revision petitioner, retaining a copy of the same.

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

1. The Principal District and Sessions Court,
Srivilliputhur.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR, J.

das

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