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CRP No.532 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2024

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRP No.532 of 2024

and

C.M.P.No.2603 of 2024

Raakhesh Varshan

... Petitioner

Vs.

Saranya Devi

...Respondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 01.12.2023 made in I.A.No.5 of 2023 in I.A.No.1 of 2023 in H.M.O.P.No.158 of 2022 on the file of Subordinate Judge, Mettupalayam.

For Petitioner

: Mr.C.Prabakaran

ORDER

This Civil Revision Petition is filed to set aside the order dated 01.12.2023 made in I.A.No.5 of 2023 in I.A.No.1 of 2023 in H.M.O.P.No.158 of 2022 on the file of Subordinate Judge, Mettupalayam.



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2. The revision petitioner is the husband and the respondent is wife.

He filed HMOP.No.158 of 2022 on the file of Subordinate Judge, Mettupalayam, in which, the wife has filed I.A.No.1 of 2023 seeking interim maintenance. In I.A.No.5 of 2023 seeking to summons to the witnesses namely the Inspector of Police, Sirumugai Police Station with regard to complaint in CSR.No.314 of 2022 with regard to return of jewels to the petitioner and the Head Master of CMS Matriculation School Ganapathy, Coimbatore to produce documents with regard to salary details of the petitioner was dismissed by the learned Judge by passing impugned order on the ground that the petition being for interim maintenance summoning the Inspector of Police and Head Master is unwarranted and the documents are not connected and will not useful to decide the interim maintenance. Hence, it is under challenged. The learned counsel for the petitioner seeks to allow the revision petition, since the documents are important to place before the Court.



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3. On a perusal of the materials and records, it is noticed that the petitioner is the husband and the respondent is wife. He filed petition in HMOP.No.158 of 2022 for judicial separation in which, the respondent/wife filed I.A.No.1 of 2023 seeking interim maintenance against the petitioner and the case was posted for respondent side arguments. At this stage the petitioner filed this Interlocutory Application to summon the Head Master and the Inspector of Police, in connection with the CSR.No.314 of 2022 with regard to return of all belongings to the respondent and want to summon written acknowledgement in this regard. The petition in I.A.No.1 of 2023 is only for granting of interim maintenance in which, the document required for the assets and liabilities of the respective parties is enough for interim maintenance . Therefore, summoning the Inspector of Police and Head Master for examination is unwarranted. Therefore, the trial Court has rightly dismissed. I find no infirmity and no ground for interference.



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V.SIVAGNANAM, J.

rpl

4. In view of the above, this Civil Revision Petition is dismissed.

Consequently, the connected Civil Miscellaneous Petition is also dismissed.

No costs.

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Index: Yes/No

Internet: Yes/No

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To

The Subordinate Judge, Mettupalayam.

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