



WEB COPY



C.R.P. No. 2112 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

C.R.P. No. 2112 of 2022

and

C.M.P. No. 10900 of 2022

Arikrishnan

... Petitioner

Vs.

Shanthi

... Respondent

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the judgment and decree dated 21.04.2022 in I.A.No.89 of 2019 in H.M.O.P.No.108 of 2018 on the file of the Sub Court, Chidambaram.

For Petitioner : Mr.V.Neethidurai

For Respondent : Mr.A.Arasu Ganeshan



C.R.P. No. 2112 of 2022

ORDER

WEB COPY

This Civil Revision Petition has been filed against the decree and judgment dated 21.04.2022 in I.A.No.89 of 2019 in HMOP.No.108 of 2018 on the file of the Sub Court at Chidambaram.

2. It is the submission of the learned counsel for the petitioner that from the wedlock between the petitioner and respondent, a child by name Harisha was born and she has completed her 12th standard. The daughter is willing to take care of her mother and she personally appeared before this Court on 22.04.2024 and confirmed the same. On that day, the respondent expressed her willingness to go and reside with her daughter, who has assured that she will take care of her mother.

3. Considering their submissions, this Court directed the respondent to reside with her daughter till 07.06.2024. Thereafter, on 19.06.2024, the petitioner, the respondent and her daughter by name Harisha were present before this Court and the petitioner and the respondent reported that they are



C.R.P. No. 2112 of 2022

joined together and living happily. On the said day, learned counsel for the respondent submitted that to safeguard the interest of the respondent, it is appropriate to take an undertaking affidavit from the petitioner.

4. Accordingly, the petitioner filed an affidavit dated 24th July 2024 before this Court, wherein it is stated that he will look after his wife as a dutiful husband and he will not breach the above affirmation. The said affidavit filed by the petitioner is placed on record.

5. Considering the fact that the petitioner and the respondent had settled their issues amicably and living together happily and taking into consideration of the affidavit filed by the petitioner that he will look after his wife and he will not breach the said affirmation, in my considered view, no further orders are required in the present Civil Revision Petition.

6. In view of the fact that the respondent is not insisting her payment of interim maintenance and the petitioner also filed an undertaking affidavit before this Court that he will take care of his wife, the order dated



C.R.P. No. 2112 of 2022

21.04.2022 in I.A.No.89 of 2019 on the file of the Sub Court, Chidambaram

is hereby set aside. In the light of the undertaking given in the affidavit, the petitioner shall take steps to withdraw HMOP.No.108 of 2018 pending on the file of the Sub Court, Chidambaram at an earlier date.

7. Accordingly, this Civil Revision Petition is closed.

No costs.

Consequently, connected miscellaneous petition is closed.

29.07.2024

Index : Yes / No

Neutral Citation : Yes / No

pvs

To

The Sub Court, Chidambaram.



WEB COPY



C.R.P. No. 2112 of 2022

BATTU DEVANAND, J.

pvs

C.R.P. No. 2112 of 2022

29.07.2024