



WEB COPY



C.R.P.No.3948 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM:

THE HON'BLE MR.JUSTICE V.LAKSHMINARAYANAN

C.R.P.No.3948 of 2024

1.T.J.G.Manoj @ Tamilarasan

2.R.Megha

... Petitioners

PRAYER : Civil Revision Petition is filed under Article 227 of The Constitution of India, to set aside the docket order in I.A.Unnumbered Sr.No.4170 of 2024 in H.M.O.P.No.518 of 2024 dated 05.08.2024 on the file of the learned Subordinate Judge, Alandur, by allowing this Civil Revision Petition.

For Petitioners : M/s.G.Hema

ORDER

This Civil Revision Petition has been preferred to set aside the docket order in I.A.Unnumbered Sr.No.4170 of 2024 in H.M.O.P.No.518 of 2024 dated 05.08.2024 on the file of the learned Subordinate Judge, Alandur.



C.R.P.No.3948 of 2024

2. Heard M/s.G.Hema, learned counsel for the petitioners.

WEB COPY

3. This Civil Revision Petition has been filed at the instance of the wife and the husband. The first petitioner married the second petitioner on 26.11.2020 at Thiruverkadu, Chennai. Due to dispute and differences, the petitioners separated on 30.01.2023. Thereafter, on the advice of the friends and relatives, they decided to part ways. Accordingly, they filed a petition for mutual consent under Section 13B of the Hindu Marriage Act before the Sub Judge, Alandur. Even at the time of filing the mutual consent petition, the husband had paid a sum of Rs.75,00,000/- by way of two Demand Drafts. The 13B petition has been numbered. Thereafter, the petitioners moved a joint application seeking for advancing the hearing by waiving the six months cooling period. The said petition was filed on 05.08.2024. This petition was dismissed by the learned Trial Judge on the ground that there is no necessity or urgency in the matter since 151 cases were listed for hearing on that day. Hence this Civil Revision Petition.

4. I heard Ms.Hema, learned counsel for the petitioners. On 30.09.2024, I requested her to produce the first and second petitioners in Court so as to verify from both parties whether they stand by their petition under Section



C.R.P.No.3948 of 2024

13B filed in HMOP.No.518 of 2024.

WEB COPY 5. Mr.T.J.G.Manoj @ Tamilarasan is present in person and Ms.R.Megha Ravichandran is present through Video Conferencing. I enquired with both the parties as regards the contents of 13B petition. Both the petitioners stand by the averments made in HMOP.No.518 of 2024. Both the petitioners state that there are no claims or dues as against each other. Mrs.R.Megha Ravichandran, confirms that she has received a sum of Rs.75,00,000/- in full quit as towards the claim she had against Mr.T.J.G.Manoj @ Tamilarasan. Both the parties agreed that the petition was filed voluntarily without any coercion. Both the parties confirmed that the petition was filed on their own free will and accord without any coercion or influence by any third party.

6. In the light of the clear and categorical statement made by the parties, I feel continuation of the relationship on paper would only add to the agony that the parties have already undergone. The marriage is dead for all practical purposes and the parties want to part their ways and proceed independently with their lives.



C.R.P.No.3948 of 2024

WEB COPY 7. In the light of the above discussion, exercising the powers under Article 227 of the Constitution of India, HMOP.No.518 of 2024 on the file of the Sub Court at Alandur stands allowed. The marriage that took place between the first petitioner and the second petitioner on 26.11.2020 at G.P.N Palace Thirumana Maaligai, Thiruverkadu, Chennai 600 077 stands dissolved by mutual consent. The learned Sub Judge shall record the order passed by this Court and pass consequential orders in HMOP.No.518 of 2024.

8. With the above observations, this Civil Revision Petition is disposed of. No costs.

Index: Yes/No
Speaking / Non Speaking Order
gsk

04.10.2024



C.R.P.No.3948 of 2024

WEB COPY

To
The Subordinate Judge,
Alandur.



WEB COPY



C.R.P.No.3948 of 2024

V.LAKSHMINARAYANAN,J.

gsk

C.R.P.No.3948 of 2024

04.10.2024