



C.R.P. (MD) No. 1133 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2024

C O R A M

THE HONOURABLE MR.JUSTICE P.D.AUDIKEAVALU

C.R.P. (MD) No. 1133 of 2024

and

C.M.P. (MD) No. 6338 of 2024

Vijay @ Vijayakumar

... Petitioner

Vs.

Lakshmi Narshimmal @ Sudha

... Respondent

PRAYER:- Petition filed under Article 227 of the Constitution of India, to call for the records relating to the impugned fair and ex-order passed in I.A. No. 1849 of 2022 in H.M.O.P. No. 852 of 2017 dated 05.06.2023 on the Family Court, Madurai and to set aside the same as illegal.

For Petitioner : Mr. C.Sundaravadivel

O R D E R

This Civil Revision Petition invoking under Article 227 of the Constitution of India has been filed by the Petitioner (hereinafter referred to



C.R.P. (MD) No. 1133 of 2024

as the 'Husband' for clarity and convenience) against the *exparte* order dated 05.06.2023 in I.A. No. 1849 of 2022 in H.M.O.P. No. 852 of 2017 passed by the Family Court, Madurai granting interim maintenance to the Respondent (hereinafter referred to as the 'Wife' for clarity and convenience) in a matrimonial proceeding between them.

2. Heard Mr. C.Sundaravadivel, Learned Counsel for the Husband and perused the materials placed on record, apart from the pleadings of the parties.

3. Learned Counsel for the Petitioner seeks permission of this Court to withdraw the Civil Revision Petition with liberty to file an application to set aside the *exparte* order dated 05.06.2023 in I.A. No. 1849 of 2022 in H.M.O.P. No. 852 of 2017 and depending upon its outcome, to work out the further course of action in accordance with law, and he has made an endorsement to that effect in the court record.



C.R.P. (MD) No. 1133 of 2024

In view of the same, the Civil Revision Petition is dismissed as withdrawn granting such liberty. It is needless to add here that for the purpose of reckoning limitation for availing the aforesaid remedy, the period from the date of presentation of the Civil Revision Petition, viz., 23.02.2024, till the date on which the certified copy of this order is made ready by the Registry, shall be excluded. Consequently, the connected Miscellaneous Petition is closed. No costs.

30.04.2024

Index : Yes/No

NCC : Yes/No

Index : Yes/No

ta

TO:

- 1.The Family Court, Madurai.
- 2.The Section Officer,
Vernacular Records Section,
Madurai bench of Madras High Court,
Madurai.



WEB COPY



C.R.P. (MD) No. 1133 of 2024

P.D.AUDIKESSAVALU, J.

ta

C. R. P. (MD) No. 1133 of 2024

30.04.2024