



C.R.P.(MD)No.2212 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.R.P.(MD)No.2212 of 2024

and

C.M.P.(MD)No.12551 of 2024

T.V.Gokila Lakshmi

... Petitioner / Respondent / Respondent

Vs.

K.H.Kumaran Babu

... Respondent / Petitioner / Petitioner

Prayer: Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records in I.A.No.5 of 2024 in H.M.O.P.No.1564 of 2023 dated 03.09.2024 on the file of the learned Family Court Judge, Madurai and set aside the same as illegal and unsustainable.

For Petitioner : Mr.M.Maran

For Respondent : Mr.M.P.Senthil

* * *



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ORDER

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Heard both sides.

2.The petitioner is the legally wedded wife of the respondent. It is second innings for both of them. The petitioner seeks restitution of conjugal rights whereas the respondent seeks dissolution of the marriage. In H.M.O.P.No.1564 of 2023 filed by the respondent herein, the respondent marked two documents. According to the respondent, both documents were written and signed by the petitioner. The petitioner denies the handwriting as well as signature. According to her, they are fabricated documents. Since controversy has arisen as to the genuineness of the documents, the Court below vide order dated 03.09.2024 had referred the documents for obtaining expert opinion. The petitioner was also called upon to give her sample signatures.

3.In my view, this order does not in any manner affect the petitioner's rights. The order has been fairly passed. The respondent wants to rely on the documents in question to establish his case. When the petitioner denies that she is the author of the documents, the only option open to the Court below is to refer the documents for expert opinion. The approach adopted by the Court



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below cannot be faulted. The impugned order is sustained and the civil revision petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

23.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
ias

To:

The Family Court,
Madurai.



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G.R.SWAMINATHAN, J.

ias

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