



*Crp.No.119 of 2025*

**WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 04.02.2025**

**CORAM**

**THE HONOURABLE MS.JUSTICE P.T.ASHA**

**C.R.P.No.119 of 2025**

B.Sathya Narayanan

...1<sup>st</sup> Petitioner

and

A.Jesintha Mary

...2<sup>nd</sup> petitioner

**PRAYER:** Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Docket order passed in I.A.No.3 of 2024 in I.D.O.P.No.1547 of 2024 by the Principal Family Court, Coimbatore on 21.11.2024.

For Petitioners : M/s.S.Santhi

For Respondent :



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## **ORDER**

Aggrieved by the dismissal of the petition seeking to dispense with the statutory period of six months for filing a petition for dissolving the marriage by mutual consent the petitioners are before this Court.

2.The petitioners had moved an application in I.A.No.3 of 2024 for dispensing with the statutory period of six months for taking up I.D.O.P.No.1547 of 2024. The said application was submitted on 21.10.2024 by the petitioners and the matter was adjourned on 14.11.2024 and 21.11.2024 for arguments. However, on both these occasions the Courts were on boycott and the counsel was unable to appear before the Court in person. That apart, the attempt of the petitioners to connect through the virtual mode has also failed, since the connectivity was poor in the Court hall. Without considering the above facts, the learned Judge has proceeded to dismiss the petition. Therefore, aggrieved the petitioners are before this Court.

3.Considering the fact that reasons beyond the control of the petitioners



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had prevented their appearance before the Court and taking into account the fact that both petitioners have agreed to mutually separate and the application before the learned Judge was only to dispense with this statutory period of six months and considering the fact that the petitioners have been living separately, since 10.06.2021, the order in I.A.No.3 of 2024 in I.D.O.P.No.1547 of 2024 is set aside and the matter is remitted back to the family Court, Coimbatore, and the learned Principal Family Judge, Coimbatore, is directed to hear and pass orders in I.A.No.3 of 2024.

4.The Civil Revision Petition is allowed with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

**04.02.2025**

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Index : Yes/No

Internet : Yes/No

Speaking Order/Non Speaking Order



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**P.T.ASHA, J.,**

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To

The Principal Family Court, Coimbatore.

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