



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2025

CORAM

**THE HONOURABLE MR JUSTICE P.B. BALAJI**

CRP.No.695 of 2024

R.Ramakrishnan

... Petitioner

Vs.

Vinothini Devi Nataraj

... Respondent

**Prayer:** Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 18.12.2023 made in I.A.No.1 of 2023 in H.M.O.P.No.816 of 2022 on the file of the Additional Principal Family Court, Coimbatore.

For Petitioner : Ms.Sinega

For Respondent : Mr.R.Singaravelan  
Senior Counsel  
for Mr.N.Damodaran

**ORDER**

The Civil Revision Petition has been filed to set aside the order dated 18.12.2023 made in I.A.No.1 of 2023 in H.M.O.P.No.816 of 2022 on the file of the Additional Principal Family Court, Coimbatore.



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2. Heard Ms.Sinega, learned counsel for the petitioner and Mr.R.Singaravelan, learned Senior Counsel for Mr.N.Damodaran, learned counsel for the petitioner.

3.This petition has been filed at the instance of the husband, who has moved the Additional Principal Family Court, Coimbatore, for declaring his marriage with the respondent as null and void, invoking Section 12(1)(c) of the Hindu Marriage Act.

4.The learned counsel for the revision petitioner states that the respondent has registered her horoscope with matrimony sites and in order to establish the alleged fraud and concealment of material facts and particulars, the revision petitioner has taken out an application under XVI Rule 6 r/w Section 151 of CPC in I.A.No.1 of 2023 for a direction to M/s.Matrimony.com limited to produce the matrimony profiles of the respondent/wife. The said application was resisted by the revision petitioner/husband stating that the respondent never created a matrimony ID in the first place and the reliance placed on the photocopies is not admissible. The respondent has further contended that the petition is not connected with the main issue for which the petitioner has approached the



Court. The Principal Additional Family Court, Coimbatore, dismissed the said application, as against which, the present revision has been preferred.

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5.The learned counsel for the petitioner would further submit that the said matrimony profiles of the respondent are material and necessary for establishing the fraud played by the respondent and the Family Court ought to have allowed the application, without dismissing the same. He would therefore pray for the revision being allowed.

6.Per contra, Mr.R.Singaravelan, learned Senior Counsel for the respondent would state that the Family Court has rightly dismissed the application finding that the HMOP has been filed for grant of a decree on the ground of nullity and that the respondent has suppressed incurable mental disorder which vitiates consent for marriage. The Family Court therefore found that directing the matrimonial site to produce documents with regard to her second marriage is not necessary. The application was accordingly dismissed and in my considered opinion, the Family Court has rightly dismissed the application. He would therefore pray for dismissal of the revision.



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7. After carefully considering the submissions advanced by the learned counsel for the petitioner and the learned Senior Counsel for the respondent, it is an admitted fact that the petitioner challenges the validity of the marriage in his application under Section 12(1)(c) of the Hindu Marriage Act. The specific contention of the petitioner is that the respondent has played a fraud on the petitioner by suppressing her incurable and continues mental disorder. In order to succeed in the said HMOP under Section 12(1)(c) of Hindu Marriage Act, the petitioner will have to only establish that his wife the respondent was suffering from such mental disorder as a result of which, the marriage between the petitioner and the respondent itself would be a nullity.

8. The summoning of documents from various matrimonial sites with regard to the registration of the respondent's horoscope is not going to in any manner assist the Family Court to decide the issues that arise for consideration in Section 12(1)(c) petition. It is also seen that even in the affidavit filed in support of the application seeking such direction, the petitioner himself has stated that the matrimonial profiles were created only after the respondent left the matrimonial home on 16.12.2021. In the light of the above, these subsequent events are not in any way germane to decide



the issue whether the marriage is a nullity on account of alleged incurable mental illness of the respondent. I do not find any merit in the revision and the well considered order of the Family Court does not require interference under Section 227 of Constitution of India.

9.In fine, the Civil Revision Petition is dismissed. However, considering the fact that the HMOP is pending from 2022, I direct the Additional Principal Family Court, Coimbatore, to dispose of H.M.O.P.No.816 of 2022 on merits and in accordance with law, within a period of four months from the date of receipt of a copy this order. There shall be no order as to costs. Connected Civil Miscellaneous Petition is closed.

18.07.2025

Speaking/Non-speaking : Yes/No

Index : Yes / No

Internet : Yes / No

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**P.B. BALAJI,J.**

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To

The Additional Principal Family Court, Coimbatore.

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