



CRP.No.682 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2025

CORAM

THE HONOURABLE MR. JUSTICE P.T.ASHA

CRP (PD). No.682 of 2025

1. Mrs. M. Antony Shobana Rani
2. Mr. P. Alwin

.. Petitioners

vs

Nil

... Respondent/Nil

Prayer: Civil Revision Petition filed under section 227 of Constitution of India against the order passed in I.D.O.P.Sr.5734 of 2024, dated 26.11.2024 on the file of Principal District Judge, Family Court, Chennai.

For Petitioners : Mr. P. Sam Japa Singh

ORDER

Aggrieved by the order passed by the Principal Judge, Family Court, Chennai in returning the IDOP.Sr.No.5734 of 2024 filed by the petitioner herein under section 10(A) of the Indian Divorce Act, 1869 for dissolving their marriage by mutual consent, the petitioner is before this Court.

2. The records which have been filed along with Civil Revision



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Petition would show that originally the 2nd respondent herein had filed IDOP. No.170 of 2022 on the file of the Principal District Court, Chengalpattu, which was later, re-numbered as FCIDOP.No.247 of 2022 on the file of the Family Court at Chengalpattu. The 1st petitioner had taken out an application before this Court to transfer the said IDOP from the file of Family Court, Chengalpattu to the Family Court, Thiruvallur in Tr.CMP.No.338 of 2024. This Court, by order dated 22.04.2024, after hearing the parties and with the consent of both parties, had directed the same to be transferred to the file of the Family Court at Chennai and the same was also transferred to the file of the II Addl. Family Court in O.P.No.3205 of 2024. Pending the said O.P., the parties had decided to mutually dissolve the marriage and they had filed a petition, however, the same has been now returned for want of jurisdiction.

3. Heard the learned counsel for the petitioners.

4. This Court, by its order in Tr.C.M.No.338 of 2024 had transferred the original petition for divorce to the file of the Family Court at Chennai, thereby conferring jurisdiction on the said court to hear and pass orders on the petition for divorce filed by the 2nd petitioner. Pending



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these proceedings, the parties have settled their disputes and in order to dissolve the marriage by mutual consent, they have proceeded to file the said petition. Considering the fact that the earlier proceedings by order of this court had been transferred to the file of the Family Court at Chennai, this petition can be numbered and posted before the very same Court to which, the earlier IDOP.No.247 of 2022 had been transferred i.e., II Addl. Family Court, Chennai.

5. Therefore the Civil Revision Petition is allowed and the Principal district Judge, Family Court, Chennai is directed to number the IDOP and post before the II Addl. Family Court. The said exercise shall be completed within a period of two weeks from the date of representation of the Original Petition. The Registry is directed to return the Original Petition to the counsel for the petitioners.

6.The Civil Revision Petition is allowed accordingly. No costs.

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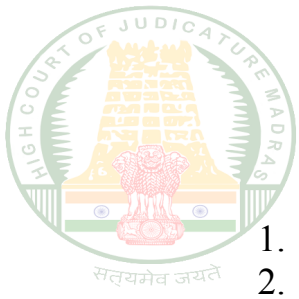
msr

Index:yes/no

Internet:yes/no

speaking order/non-speaking order.

To



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1. The Principal District Judge, Family Court, Chennai.
2. The II Addl. Family Court, Chennai.

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P.T.ASHA, J.

msr



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