



WEB COPY

CRP(PD).No.1448 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).No.1448 of 2025

R.Arjunan

... Petitioner

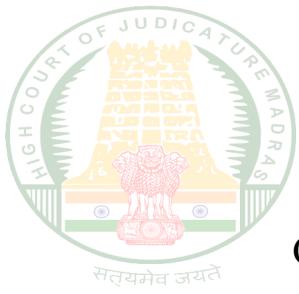
Vs.

Jayalakshmi

... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to direct the Family Court Judge at Namakkal to number the Unnumbered IA.SR.No.524 of 2025 in IA.No.4 of 2023 in FCOP.No.244 of 2023 returned on 12.03.2025 pending on the file of Family Court Judge at Namakkal.

For Petitioner : M/s.S.Varanesh



ORDER

Challenging the return of his application in IA.Sr.No.524/2025

in IA.No.4/2023 in FCOP.No.244/2023, the petitioner is before this Court.

2. The petitioner had filed FCOP No.244 of 2023 against the respondent herein seeking a divorce on the ground of cruelty.

3. Pending the above proceedings the petitioner had filed IA.No.4/2023 seeking visitation rights in respect of his sons. This Application came to be dismissed by an order dated 13.09.2024 by the learned Judge Family Court, Namakkal. Instead of challenging the order, the petitioner had taken out the impugned application to review the order passed in IA.No.4/2023. The learned Judge has returned the said application stating that the relief that is sought for in the petition would not come within the scope of review. Challenging the same, the petitioner is before this Court.

4. The learned counsel for the petitioner would submit that the



learned Trial Judge ought to have numbered the application and erred in returning the same at the registration stage.

5. Heard the learned counsel for the petitioner and perused the records.

6. The impugned petition has been returned and the petitioner without representing the return with clarification before the Trial Court has rushed to this Court. However, a perusal of the grounds of review that has been filed would clearly show that the petitioner is questioning the correctness of the order passed in I.A.No.4/2023 and there is no ground pleaded as to how the order suffers from an error apparent on the face of the record. Therefore, I am not inclined to interfere with the order passed by the learned Judge, Family Court, Namakkal.

7. The learned counsel for the petitioner would submit that the learned Trial Judge ought to have numbered the application and thereafter dismissed it. In my considered opinion, this would only add



to the pendency of cases before the Trial Courts, especially when the outcome of the petition is a foregone one.

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8. Accordingly, the above Civil Revision Petition stands dismissed. No costs.

08.04.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Family Court Judge at Namakkal.



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P.T. ASHA. J.,

(shr)

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