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CRP(PD).No.1639 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).No.1639 of 2025

V.Ramkumar

... Petitioner

Vs.

E.Radhika

... Respondent

Prayer:- Civil Revision Petition is filed under Article 227 of the Constitution of India to issue suitable directions directing the learned Principal Subordinate Judge, Chengalpattu to number the petition in HMOP(F/OP/110/2025) presented on 10.02.2025 on the file of the Principal Subordinate Judge, Chengalpattu and allow the CRP.

For Petitioner : M/s.A.M.M.Ramana

ORDER

Aggrieved by the fact that the Principal Subordinate Judge, Chengalpattu has been returning the petition without appreciating the explanation made by the petitioner while representing the papers, the petitioner is before this Court.



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2. The proceeding which is a petition for divorce filed in HMOP(F/OP/110/2025) dated 10.02.2025 was returned on 14.02.2025 by the learned Principal Subordinate Judge, Chengalpattu questioning the jurisdiction. The same has been represented by the petitioner by stating as follows:-

“ As per the document no.4, the respondent has stated her address as Kelambakkam in complaint given by her before the Chitlapakkam Police and online CSR copy also mentions the address of respondent as Kelambakkam and hence this Hon'ble Court has jurisdiction to entertain the present HMOP”.

However, once again, the petition was returned with the very same endorsement that the earlier directions had not been complied with. Aggrieved by the same, the petitioner is before this Court.

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

5. No doubt, the petitioner could have represented the papers and made submissions before the Trial Court. However, considering the fact



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that the return appears to be unwarranted at this juncture since the petitioner had already proved by way of document no.4 that the respondent is residing at Kelambakkam which comes within the jurisdiction of the Principal Subordinate Judge, Chengalpattu. The respondent after entering appearance could very well question the jurisdiction by showing other documents to prove that her place of residence does not come within the jurisdiction of the Principal Subordinate Judge, Chengalpattu.

6. At the numbering stage, the learned Principal Subordinate Judge, Chengalpattu should only prima facie be convinced that there is some document to show that the Court has the jurisdiction which in the instant case has been provided by the petitioner in the form of document no.4. Therefore, the order returning HMOP(F/OP/110/2025) without numbering the same is erroneous.

7. Accordingly, the Civil Revision Petition is allowed and the learned Principal Subordinate Judge, Chengalpattu is directed to number HMOP(F/OP/110/2025). No costs.

21.04.2025

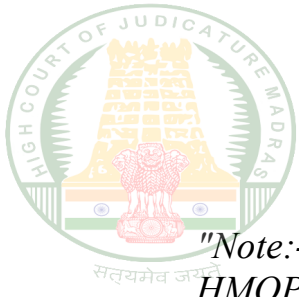
(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

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"Note:-The Registry is directed to return the original return petition in HMOP (F/OP/110/2025) back to the petitioner's counsel after getting due acknowledgement."

To

1.The Principal Subordinate Judge, Chengalpattu



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P.T. ASHA. J.,

(shr)

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