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CRP NPD.No.2374 of 2025

**THE HIGH COURT OF JUDICATURE AT MADRAS**

**Date : 20.06.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR**

**CRP [NPD] No.2374 of 2025**

Vijayakumar J

. . . Petitioner

Versus

Muthu Sujitha

. . . Respondent

**PRAYER :** Petition filed under section 115 of Code of Civil Procedure to set aside the return order dated 21.03.2025 passed by the learned Sub Judge, Tambaram in filing number 133 of 2025 and direct him to take the petition on his file or further proceedings.

For petitioner : Mr.V.Pavel

**ORDER**

Challenging the Order of the trial Court returning the application filed under section 12 of the Hindu Marriage Act to declare the marriage of



CRP NPD.No.2374 of 2025

the petitioner and the respondent on 20.03.2024 as null and void.

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2. The trial Court holding that there is no proof for residence of the respondent, returned the petition filed by the petitioner for divorce. Challenging the said return this revision petition has been filed.

3. Since the Original Petition filed by the petitioner itself has been returned and not numbered by the Sub Court, this Court is of the view that no notice is required to the respondent.

4. At the outset, this Court is of the view that insisting the proof of residence of the respondent, at this stage will not arise at all. It is for the respondent to take the issue of jurisdiction. Therefore, the return of the trial Court is set aside and the trial Court is directed to number the application and proceed the main Original Petition after proper service of notice to the respondent. It is made clear that the trial Court shall ensure that proper address is given and notice has been sent to correct address of the respondent, even to the address of the parents of the respondent and only thereafter, the



CRP NPD.No.2374 of 2025

trial Court shall decide the jurisdiction issue.

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5. With the above directions, this Civil Revision Petition is disposed of.

No costs.

**20.06.2025**

Index : Yes / No

Internet: Yes

Speaking/non speaking order

vrc

To,

The Sub Judge,  
Tambaram.



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CRP NPD.No.2374 of 2025

**N. SATHISH KUMAR, J.**

vrc

**CRP NPD No.2374 of 2025**

**20.06.2025**