



C.M.A.No.629 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 21.03.2025

CORAM

**THE HONOURABLE MR.JUSTICE R.SURESH KUMAR
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**C.M.A.No.629 of 2025
and
C.M.P.No.4952 of 2025**

Sri Karthik Thirumal Girija

... Appellant

-Vs-

Vandhana

... Respondent

PRAYER : Appeal under Section 19 of the Family Courts Act r/w.Section 28 of Hindu Marriage Act, against the fair decretal order dated 24.04.2024 in I.A.No.2 of 2023 in O.P.No.991 of 2023 on the file of II Additional Family Court, Chennai.

For Appellant : Mr.M.Velmurugam
for Mr.M.Venkatesh

For Respondent : Mr.N.S.Suganthan



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J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

The appellant who is the husband filed a petition for divorce in H.M.O.P.No.991 of 2023 on the file of II Additional Principal Family Court, at Chennai. In order to reject that petition, an interlocutory application in I.A.No.2 of 2023 was filed by the respondent / wife. That IA was allowed in one line order, by the order of the Court below dated 24.04.2024.

2. The one line order reads thus "the rejection of petition is allowed by this Court".

3. We wonder to see this order passed by the Court exercising its judicial power. If at all any petition to reject the petition seeking for divorce is filed, that petition if at all to be decided, it should have been decided on merits. The reasoning must have been stated. Without any reasoning in a single line, if such petitions are allowed, that kind of cryptic order cannot be said to be a judicial order and therefore, for that reason alone, the order is liable to be set aside, accordingly the order impugned dated 24.04.2024 is set aside. As a result of which, H.M.O.P.No.991 of 2023 on the file of II Additional Principal Family



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Court, at Chennai is get restored. The Court below is directed to take up

WEB H.M.O.P.No.991 of 2023 and decide the same on merits and in accordance with

law by giving priority within a maximum period of three months from the date of receipt of a copy of this judgment.

4. Hereafter, the Judicial Officer must be careful in passing the orders like this as without any reasons, such kind of order ought not to have been passed.

5. Accordingly, this Civil Miscellaneous Appeal is allowed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (A.D.M.C., J.)
21.03.2025

NCC : Yes / No
Index : Yes / No
Speaking Order : Yes / No
vji

To

1. The learned II Additional Principal Judge,
Chennai.

2. The Section Officer,
V.R. Section,



High Court, Chennai.

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