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CRP No. 4013 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4013 of 2024

AND

CMP NO. 22029 OF 2024

K.V.Preethika
D/o.R.Venkatasamy,
No.2/84, Rajaji Nagar, East,
Rayakottai Road, Krishnagiri - 635 002.

Petitioner(s)

Vs

K.Prabhu
S/o.R.Kumar,
Hotel Brindavanam,
Trichy Thanjavur Highways,
Pudukudi, Boothalur Taluk,
Thanjavur District.

Respondent(s)



CRP No. 4015 of 2024

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PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order dated 16-05-2024 passed in IA.No.4/2023 in HMOP.No.155/2021, on the file of the Family Court, Krishnagiri by allowing the CRP.

For Petitioner(s): Mrs.Chithra Sampath
Senior Counsel
for Mr.T.S.Baskaran

For Respondent(s): Mrs.A.Poonkodi
for Mr.N.Kannan

ORDER

The petitioner has filed the present Civil Revision Petition to set aside the order dated 16.05.2024 passed in IA.No.4 of 2023 in HMOP.No.155 of 2021, on the file of the Family Court, Krishnagiri.

2. The revision petitioner is the wife, who has filed H.M.O.P.No.155 of 2021 for restitution of conjugal rights and similarly in H.M.O.P.No.115 of 2022, which has been filed by the respondent/husband for dissolution of marriage, she is the respondent.

3. In the course of proceedings in H.M.O.P.No.155 of 2021, the petitioner herein was represented by her father, who is a lawyer. Therefore, the husband has taken out an



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application in I.A.No.4 of 2023, seeking a direction that the revision petitioner's father should not appear and conduct the case in H.M.O.P.No.155 of 2021 on behalf of his daughter. The Family Judge, Krishnagiri, in and by, the order dated 16.05.2024 has allowed the application holding that the father of the petitioner cannot appear for his daughter and there is a bar under Rules 9 and 18 of the Bar Council of India Rules.

4. Mrs.Chithra Sampath, learned senior counsel appearing for the petitioner states that the bar is not for relatives like the father appearing for his daughter or son, but only where the Judicial Officer is related to the Advocate.

5. I have also gone through the relevant rules and find force in the submissions of Mrs.Chithra Sampath, learned senior counsel for the petitioner. Infact, it is also brought to my notice by learned senior counsel that the father has already appeared and cross examined the husband/respondent and the case is posted for further evidence. Therefore, she states that no prejudice would be caused in view of the subsequent



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developments in the matter.

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7. In view of the fact, that there is no bar for the father, who is an Advocate to appear on behalf of his daughter, that too in the Family Court, the order dated 16.05.2024 in IA.No.4 of 2023 passed by the Family Court, Krishnagiri is unsustainable and liable to be set aside.

8. It is made clear that the petitioner's father is entitled to represent his daughter as a lawyer and continue the proceedings.



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9. This Civil Revision Petition is disposed of with the aforesaid direction. No

costs. Consequently, connected Miscellaneous Petition is closed.



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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Family Court, Krishnagiri.



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P.B.BALAJI J.

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