



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

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THE HONOURABLE MR JUSTICE P.B. BALAJI

C.R.P.No.4021 of 2025

S.Raghupathy

... Petitioner

Vs.

P.M.Suguna

... Respondent

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order dated 18.08.2025 made in unnumbered O.S.Filing No.441 of 2025 on the file of the Family Court, Erode and direct the Family Court to number the suit by allowing this Civil Revision Petition.

For Petitioner : Mr.V.N.Subramaniam

For Respondent : Mr.S.Sarath Kumar



ORDER

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Heard Mr.V.N.Subramaniam, learned counsel appearing for the petitioner and Mr.S.Sarath Kumar, learned counsel appearing for the respondent.

2. The present revision petition has been filed by the husband/plaintiff. In unnumbered suit filed before the Family Court, Erode, the plaintiff has sought for dissolution of marriage on the ground of nullity. The plaint was returned by the Family Court on 18.08.2025 stating as to how the suit is maintainable. Normally, it would be appropriate for the trial Court to hear the plaintiff on the maintainability in the open Court and thereafter, pass orders regarding numbering of the suit. However, in view of the fact that the respondent has entered appearance in the revision and she has no serious objection for the suit being taken on file, I am inclined to direct the Family Court, Erode to number the suit, if it is otherwise in order and proceed in accordance with law. The original plaint may be returned to the learned counsel appearing for the petitioner within a period of one week from today, after obtaining necessary acknowledgement from the learned counsel appearing for the petitioner.



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3. Accordingly, this Civil Revision Petition is disposed of. There shall be no order as to costs.

26.08.2025

Speaking Order/Non-speaking Order

Index : Yes / No

Neutral Citation : Yes/No

ssb

To

The Family Court, Erode.



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P.B. BALAJI,J.

ssb

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