



WEB COPY



CRP.No.4787 of 2025 and CMP.No.24201 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRP.No.4787 of 2025

and

CMP.No.24201 of 2025

R.Ganapathi Janaki

... Petitioner/ Respondent / Petitioner

Versus

K.Ramesh

... Respondent / Petitioner / Respondent

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Docket Order in I.A.No.1 of 2024 in HMOP No.698 of 2022 dated 13.08.2025 pending on the file of the Sub Judge, Alandur.

For Petitioner

: M/s.S.A.Syed Haroon

ORDER

Unsuccessful wife has preferred the present Civil Revision Petition.

2. The revision petitioner / wife filed a petition for divorce in H.M.O.P.No.698 of 2022 on the file of the Sub Court, Alandur, wherein, the respondent / husband was set exparte on 27.06.2024. Thereafter, the



respondent / husband filed an application in I.A.No.1 of 2024 in H.M.O.P.698 of 2024 to set aside the exparte order dated 27.06.2024. Upon hearing

either side, the Court below *vide* order dated 13.08.2025, allowed the petition on condition that the respondent / husband should pay a sum of Rs.1000/-to the revision petitioner / wife. Aggrieved over the same, the revision petitioner / wife has preferred the present Civil Revision Petition.

3. The learned counsel appearing for the revision petitioner would submit that there was a delay of 180 days in filing the petition to set aside the exparte order, without filing s separate petition to condone the delay. The respondent / husband directly filed the petition to set aside the exparte order, which, according to the petitioner, is unsustainable in law.

4. It is seen from the records that the Court below found that an opportunity may be given to the respondent / husband to contest the case on merits and accordingly allowed the petition on payment of Rs.1,000/-. In order to decide the real controversy between the parties, an opportunity was rightly provide to the husband to contest the case on merits.

5. In view of the above, this Court finds no reason to interfere with the



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order passed in I.A.No.1 of 2024 in H.M.O.P.No.698 of 2022 dated 13.08.2025 on the file of the Sub Court, Alandur. However, considering the fact that H.M.O.P.No.698 of 2022 is pending for more than 10 years, there shall be a direction to the learned Subordinate Judge, Alandur, to dispose of the said H.M.O.P. preferably within a period of four months from the date of receipt of a copy of this order.

6. With the above direction, this Civil Revision Petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

09.10.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

M. JOTHIRAMAN, J.

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To

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The learned the Sub Court, Alandur.

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