



WEB COPY

CRP No. 4913 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4913 of 2025

AND

CMP NO. 24847 OF 2025

Mrs.Pavithra

Petitioner

Vs

L.Rajeshkumar
S/o. Loganathan, No.5/175, Flat No.S2,
5th Main Road, Vandalur, Ottery Extn,
Chennai-600 048.

Respondent

PRAYER:

Civil Revision Petition filed under Section 115 of the Civil Procedure Code, before this Court to set aside the Docket Order dated 06.10.2025 returning the application in IA.SR.No.3465 of 2025 in F.C.O.P.No.298 of 2023 on the file Family Court Judge, Chengalpattu.

For Petitioner: Mr.R.Chandra Sudan

For Respondent: Mr.S.Vijayakumar

**ORDER**

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Challenging the order of return in application filed under Order XXXIX Rule 1 and 2 of CPC r/w 7 of the Family Court Act, 1984, the present revision has been filed.

2. The respondent as the husband filed a petition for Divorce under Section 13(1)(i-a) of the Hindu Marriage Act in F.C.O.P.No.298 of 2023 and the same came to be allowed exparte. Thereafter, the petitioner filed an application to set aside the exparte decree along with a condone delay application. Pending the same, the petitioner/wife apprehending that the respondent may contract a 2nd marriage had filed an application for grant of interim injunction to restrain the husband from contracting a 2nd marriage, pending disposal of the application to set aside the exparte decree.

3. Mr.S.Vijayakumar, learned counsel entered appearance for the respondent, today, contended that the respondent will await the decision in the condone delay application and till such time, he has no intention to contract a 2nd marriage.

4. Recording the said submission made by the learned counsel appearing



for the respondent, no further orders are necessary in this revision. The order passed in the application for interim injunction is also thus unnecessary, of being challenged.

5. This Civil Revision Petition is disposed of by recording the submission of the learned counsel for the respondent and by directing the Family Court, Chengalpet to dispose of I.A.No.5 of 2025, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

04-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To
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The Family Court, Chengalpattu.



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P.B.BALAJI, J.
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