



C.R.P.Nos.6391, 6394 and 6395 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.Nos.6391, 6394 and 6395 of 2025
and
C.M.P.Nos.31614, 31619 and 31625 of 2025

N.Vinoth

... Petitioner (in all CRPs)

VS.

K.Sangeetha

... Respondent (in all CRPs)

COMMON PRAYER: Civil Revision Petitions are filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal Order dated 22.10.2025 passed by the IV Additional Family Court, Chennai, in I.A.Nos.4, 3 and 5 of 2025 in H.M.O.P.No.5295 of 2023 and allow these Civil Revision Petitions.

For Petitioner : Mr.M.Sathyamoorthy
(in all CRPs)



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COMMON ORDER

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The Civil Revision Petitions are filed challenging the order passed by the IV Additional Family Court, Chennai in I.A.Nos.3, 4 and 5 of 2025 in H.M.O.P.No.5295 of 2023, dated 22.10.2025 allowing the applications filed by the respondent/wife seeking to reopen I.A.No.1 of 2025, I.A.No.2 of 2025 and extend the time to file counter in O.P.No.5295 of 2023.

2. The petitioner herein filed divorce petition in H.M.O.P.No.5295 of 2023 on the file of the IV Additional Family Court, Chennai. In the main original petition, the respondent herein was set *exparte* and an *exparte* decree was passed on 13.06.2024. Immediately, the respondent herein filed two applications in I.A.Nos.1 and 2 of 2025 to set aside the *exparte* decree of divorce passed against the respondent, dated 13.06.2024 and also to condone the delay of 206 days in filing the petition to set aside the *exparte* decree. These two applications came to be allowed on 24.02.2025 on condition that the respondent shall file counter in the main original petition on or before 02.07.2025. However, the said condition was not complied by the respondent. Therefore, the applications in I.A.Nos.1 and 2 of 2025 filed by the respondent were dismissed.



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3. After acquiring knowledge about the same, the respondent filed the present applications in I.A.Nos.3, 4 and 5 of 2025 to set aside the order passed in I.A.Nos.1 and 2 of 2025 and to extend the time for filing counter. Along with these three applications, the respondent also filed counter on 22.07.2025. The said applications were allowed by the IV Additional Family Court. Aggrieved by the same, the petitioner has come before this Court.

4. The learned counsel appearing for the petitioner would submit that I.A.Nos.1 and 2 of 2025 were allowed as early as 24.06.2025 and the respondent was imposed with a condition that counter shall be filed on or before 02.07.2025. However, the respondent wilfully failed to file counter to drag on the proceedings. Therefore, the Court below ought not have allowed those applications.

5. The main original proceedings is for divorce. Taking into consideration, the nature of the original proceedings between the parties, the Court below had taken a liberal view and granted an opportunity to respondent to contest the case on merits.



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6. It is also not disputed that along with these applications, the respondent filed counter affidavit in the main original petition on 21.07.2025. In such circumstances, the IV Additional Family Court exercised its discretion in favour of the respondent by giving her an opportunity to contest the matter on merits. I do not find any serious error in the impugned order passed by the IV Additional Family Court, Chennai in I.A.Nos.4, 3 and 5 of 2025 in H.M.O.P.No.5295 of 2023, dated 22.10.2025.

7. Accordingly, all the Civil Revision Petitions are dismissed. No costs. Consequently, the connected civil miscellaneous petitions are closed.

16.12.2025

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
dm



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To

The IV Additional Family Court,
Chennai.



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S.SOUNTHAR, J.

dm

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