



C.R.P.(MD)No.2099 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2025

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CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P(NPD)(MD)No.2099 of 2024

G.Mohanapushpalatha @ Alamelu

... Petitioner/Petitioner
Respondent

Vs.

R.Babu @ Govindarajalu

... Respondent/Respondent/
Petitioner

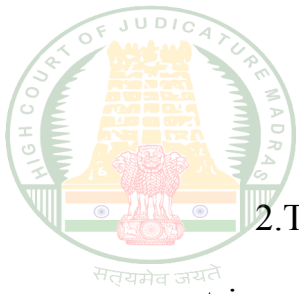
PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, to direct the Family Court, Madurai to number the I.A.SR.No.9211 of 2022 in HMOP.No.95 of 1998 before the Family Court, Madurai filed by the petitioner on 08.12.2022 and decide the matter on merits.

For Petitioner : Mr.R.Paran Jothi
M/s. KBS Law Office

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed seeking a direction to the Family Court, Madurai to number the I.A.SR.No.9211 of 2022 in HMOP.No.95 of 1998 before the Family Court, Madurai filed by the petitioner on 08.12.2022 and decide the matter on merits.



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2.The petitioner is the wife of the respondent herein. There was a matrimonial dispute between the petitioner and the respondent. Thereby, the respondent filed H.M.O.P.No.95 of 1998 seeking divorce on the file of the Family Court, Madurai. The said petition was decreed ex parte as against the petitioner on 01.04.1999. In the divorce petition, the name of the petitioner was wrongly mentioned as G.Mohanapushpalatha. However, in all the educational and other identity documents, the petitioner's name is mentioned as G.Alamelu. Hence, the petitioner filed an application to substitute the name of the petitioner in the decree of divorce as G.Mohanapushpalatha @ Alamelu instead of G.Mohanapushpalatha. The said petition was not entertained by the trial Court. Therefore, the petitioner has filed this petition with the aforesaid prayer.

3.The learned counsel for the petitioner submits that the petitioner applied for her father's family pension. However, the application of the petitioner was rejected, since the petitioner's name is not found in the decree of divorce produced by the petitioner. Therefore, the petitioner has filed the petition to substitute her name in the decree of divorce. However, the trial Court has not entertained the said application.

4.The notice sent to the respondent has been returned as unclaimed.
Hence, the service on the respondent is held sufficient.



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5.This Court perused provisions set out under Order VI Rule 17 of CPC.

Order VI Rule 17 of CPC allows amendments to pleadings at any stage of the proceedings. However, in the present case, the petitioner has filed an application seeking to amend the decree granted in the year 1999. The said decree attained finality. Hence, the trial would not be able to entertain any application for amendment of plaint/decreed after a period of 25 years.

6.In view of the above, the order passed by the trial Court need not be interfered. Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs.

08.07.2025

Index : Yes/No
Internet : Yes / No
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To

- 1.The Family Court,
Madurai.
2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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