



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)No.2032 of 2025

1.Dr.V.Pritham

2.Dr.K.Jeyabharathi

Vs.

...Petitioners

Nil

...Respondent

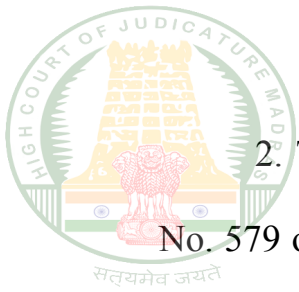
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records pertaining to the order of return dated 14.07.2025 passed in unnumbered I.A.No...of 2025 in H.M.O.P.No.579 of 2025 on the file of the Family Court, Madurai and set aside the same and consequently allow the present Civil Revision Petition.

For Petitioners : Mr.N.Anandhakumar,
for Mr.K.Kubendran

* * * * *

ORDER

This petition has been filed to set aside the order of return dated 14.07.2025 passed in unnumbered I.A.No...of 2025 in H.M.O.P.No.579 of 2025 on the file of the Family Court, Madurai.



2. The petitioners / husband and wife, have filed a petition in H.M.O.P. No. 579 of 2025 before the Family Court, Madurai, seeking a decree of divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955.

Thereafter, the petitioners have filed an interlocutory application in unnumbered (I.A. No. of 2025), seeking waiver of the six-month cooling period mandated under Section 13B(2) of the Hindu Marriage Act, 1955.

3. The learned Family Court has returned the application, refusing to waive the cooling period, and the petitioners have filed the present petition, relying on the judgment of the Hon'ble Supreme Court in ***Amardeep Singh vs. Harveen Kaur (2017) 8 SCC 746***, wherein the Court held that the cooling-off period is not mandatory and may be waived in appropriate cases.

4. The learned counsel for the petitioners would submit that the circumstances in this case warrant a waiver of the cooling period, and the petitioners are in agreement for divorce by mutual consent.

5. In view of the aforementioned judgment of the Hon'ble Supreme Court, the learned Family Judge, Madurai, is directed to number the interlocutory application (I.A. No. ____ of 2025) filed by the petitioners seeking waiver of the cooling period, without delay.



6. The said interlocutory application shall be disposed of on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. The Family Court is also directed to pass appropriate orders in the main petition (H.M.O.P. No. 579 of 2025) in due course, after considering the disposal of the interlocutory application.

7. This Civil Revision Petition is disposed of accordingly. No costs.

24.07.2025

Internet: Yes/No

Index: Yes/No

TSG

To

1. The Family Court, Madurai.

2. The Section Officer,

VR Section,

Madurai Bench of Madras High Court, Madurai.

Note : Registry is directed to return the original document after retaining the copy of the same in the Court record



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M.DHANDAPANI, J.

TSG

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