



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 29.07.2025**

**CORAM**

**THE HON'BLE MR. JUSTICE M.DHANDAPANI**

**C.R.P.[PD](MD)No.2095 of 2025**

Kaleeswaramoorthi

...Petitioner

Vs.

1.Dharani

2.Pandiselvam

3.Ruban @ Karanraj

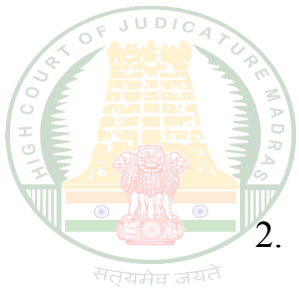
...Respondents

**PRAYER:** Civil Revision Petition is filed under Article 227 of Constitution of India, praying to set aside the return order dated 07.07.2025 and direct the Family Court, Ramnathapuram to number the H.M.O.P.(filing) No.63 of 2025 and take the same in the file in accordance with law.

For Petitioner : Mr.V.Meenakshi Sundaram

**ORDER**

This Civil Revision Petition has been filed to set aside the return order dated 07.07.2025 and to direct the Family Court, Ramanathapuram to number H.M.O.P. (Filing) No.63 of 2025 and take the same on file in accordance with



2. The learned counsel appearing for the petitioner submitted that the petitioner had filed a petition for divorce against the first respondent alleging that even after the marriage, the first respondent continued her relationship with the second and third respondents. However, the trial Court returned the petition on the ground that, as per Section 13(1)(i) of the Hindu Marriage Act, the petition must contain specific averments of voluntary sexual intercourse with any person other than the spouse after solemnization of the marriage and there is no averments in the pleadings regarding the adultery. It was also returned for not mentioning whether both parties are Hindus and under which custom the marriage was solemnized.

3. Since no adverse orders are going to be passed against the respondents, notice to the respondents is dispensed with.

4. On perusal of the petition, it is seen that in paragraph No.6, the petitioner has clearly averred the alleged relationship between the first respondent and the second and third respondents. Therefore, the reasoning given by the trial Court for the return appears to be unjustified.

5. Accordingly, the return order dated 07.07.2025 passed in H.M.O.P. (Filing) No.63 of 2025 is hereby set aside. The petitioner is directed to re-



present the petition before the Family Court, Ramanathapuram, within a period of one week from the date of receipt of a copy of this order. The trial Court is directed to number the H.M.O.P., and thereafter proceed to dispose of the same on merits and in accordance with law.

6. In view of the above, the Civil Revision Petition stands allowed. No costs.

**29.07.2025**

Internet:Yes/No

Index:Yes/No

TSG

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

To

- 1.The Family Court, Ramanathapuram.
- 2.The Section Officer,  
VR Section,  
Madurai Bench of Madras High Court,  
Madurai.



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M.DHANDAPANI, J.

TSG

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