



C.R.P(MD)No.3231 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.01.2025**

CORAM

**THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.3231 of 2024

Agalya

... Petitioner

Vs.

R.Rajeshwaran

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order, dated 09.09.2024 passed by the Family Court, Thanjavur in I.A.No.10 of 2024 in I.A.No.09 of 2024 in H.M.O.P.No.202 of 2022.

For Petitioner : Mr.A.Senthilkumar



C.R.P(MD)No.3231 of 2024

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ORDER

This Civil Revision Petition is preferred against the dismissal of I.A.No.10 of 2024 in I.A.No.9 of 2024 in H.M.O.P.No.202 of 2022.

2. According to the revision petitioner, the revision petitioner filed an application in I.A.No.9 of 2024 in H.M.O.P.No.202 of 2022 for interim maintenance. Though steps were taken to serve the notice on the respondent / husband, the respondent / husband deliberately evaded the service of notice and the said notices were returned with an endorsement that the respondent / husband is living abroad. Hence, the revision petitioner took out an application in I.A.No.10 of 2024 seeking permission of the Court for substituted service. However, the Trial Court dismissed the said application stating that the Court cannot presume that the respondent is evading the service of notice.

3. The learned Counsel appearing for the revision petitioner would submit that the respondent / husband is wantonly evading the service of



C.R.P(MD)No.3231 of 2024

notice in the Family Court, Thanjavur but the said respondent / husband is appearing before this Court in C.M.A(MD)No.615 of 2024. Hence, seeks permission to serve notice on the learned Counsel appearing for the respondent. Accordingly, permission is granted to the revision petitioner to serve notice on the learned Counsel appearing for the respondent / husband.

4. With the above direction, this Civil Revision Petition stands disposed of. There shall be no order as to costs.

02.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

The Family Court,
Thanjavur.

3/4



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C.R.P(MD)No.3231 of 2024

K.GOVINDARAJAN THILAKAVADI, J.

BTR

Order made in
C.R.P(MD)No.3231 of 2024

02.01.2025