



CRP(MD). No.3671 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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and

CMP(MD) No.19417 of 2025

K.Vikesh

... Petitioner

Vs

C.S.Sudhanya

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Fair and Decreetal order made in IA No.05 of 2024 in HMOP No.139 of 2020 on the file of the Learned Family Judge, Kanniyakumari at Nagercoil dated 04.09.2025, and allow the Civil Revision Petition.

For Petitioner : Mr.C.Sankar Prakash

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 04.09.2025 made in I.A.No.5 of 2024 in HMOP No.139 of 2020 on the file of the Family Court, Kanniyakumari at Nagercoil.



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2.The petitioner is the husband and the respondent is the wife. Due to matrimonial dispute arose between them, the petitioner/husband filed a case in HMOP.No.139 of 2020 for divorce on the ground of cruelty and desertion, whereas, the respondent/wife filed a case in HMOP.No.143 of 2020 for restitution of conjugal rights. Both the cases are pending before the Family Court, Kanniyakumari at Nagercoil.

3.Pending such petitions, the petitioner/husband filed an application in I.A.No.5 of 2024, praying to call for bank records of the Federal Bank, P.W.D. Road Branch, Nagercoil, in relation to Locker No. 132 and the same was also dismissed by the trial Court, vide order dated 04.09.2025. Challenging the same, the present Civil Revision Petition is filed.

4.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds would submit that the respondent has preferred a police complaint as against the petitioner alleging that the jewels, which were kept in Locker No.132 of the Federal



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Bank, P.W.D. Road Branch, Nagercoil, have been stolen/taken away by the petitioner and therefore, to prove the fact that the respondent alone operated the bank locker and the jewels are also available with her, it is necessary to call for bank records of the Federal Bank, P.W.D. Road Branch, Nagercoil, in relation to Locker No.132. He would therefore call upon this Court to set aside the impugned order, dated 04.09.2025 and allow the Civil Revision Petition as prayed for.

5.Since no adverse orders are going to be passed against the respondent/wife, notice to the respondent is dispensed with.

6.Heard the learned counsel for the petitioner.

7.It is not in dispute that the petitioner is the husband and the respondent is the wife and their marriage was solemnized on 06.09.2018, according to Hindu rites and customs. Out of their wedlock, they were blessed with a child, namely, Riyo Vikesh, and due to matrimonial dispute arose between them, the petitioner/husband filed HMOP.No.139 of 2020 for divorce and the respondent/wife has also filed HMOP.No.



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143 of 2020 for restitution of conjugal rights. Pending such petitions, the petitioner/husband filed I.A.No.5 of 2024 to call for bank records of Locker No.132 and the same was also dismissed by the trial Court, vide order dated 04.09.2025 on the ground that such bank records are not necessary to decide the case.

8.It is to be noted that the trial Court has rightly found that to decide the cases in HMOP.Nos.139 and 143 of 2020, the bank records of Locker No.132 of the Federal Bank, P.W.D. Road Branch, Nagercoil, which has been operated by both the petitioner and the respondent, are not necessary, as if even such records are called for, it would not disclose the fact that whether the respondent's jewellery were kept in the said locker or not, since the same is not recorded in such records. The reasons stated by the trial Court are sound. Further, the locker details would only reveal the details as to who are the persons operating the bank locker and who has opened the bank locker and what day it was opened and the time of signing the locker before opening it and the time of signing after closing the locker. That, by itself, is not entitled to prove or disprove the claim, which is the subject matter of the criminal complaint.



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9. In view of the above, this Court do not find any irregularity or infirmity in the order impugned herein. Accordingly, this Civil Revision Petition is dismissed as being devoid of merits. No costs. Consequently, connected miscellaneous petition stands closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

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To

The Family Judge, Kanniyakumari at Nagercoil.



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N.SENTHILKUMAR, J.

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