



CRP(MD). No.3667 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03.12.2025

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THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

CRP(MD). No.3667 of 2025

and

CMP(MD) No.19405 of 2025

Vinitharaj

... Petitioner

Vs

1. Ananthapadhmanaban

2. Rajkumar

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the Impugned fair and decretal order dated 21.11.2025 in respect of IA No.4 of 2025 in HMOP No.38 of 2023 on the file of the Sub Court, Tirumangalam, Madurai District.

For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 : Mr.S.Muthumalai Raja

ORDER

This Civil Revision Petition has been filed challenging the order dated 21.11.2025 made in I.A.No.4 of 2025, in HMOP.No.38 of 2023 on the file of the Sub Court, Tirumangalam, Madurai District.



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2.The petitioner is the wife and the first respondent is the husband and their marriage was solemnized on 01.06.2022. Due to matrimonial dispute arose between them, they are living separately and the first respondent/husband has filed H.M.O.P.No.38 of 2022 before the Sub Court, Thirumangalam, Madurai District, seeking declaration that the marriage between the petitioner and the first respondent is null and void, as the petitioner/wife has already married the second respondent and without getting an decree of divorce, she married the first respondent also.

3.During the course of trial, the first respondent/husband had filed an application in I.A.No.4 of 2025 under Order VI Rule 17 and Section 151 CPC seeking to amend the provision, under which HMOP.No.38 of 2023 was filed, contending that the mistake committed by the first respondent is neither wilful nor wanton. The trial Court, considering the facts and circumstances of the case, had allowed the said application on 21.11.2025. Challenging the same, the present Civil Revision Petition has been filed.



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4.The learned counsel for the petitioners reiterated all the contentions set out in the memorandum of Civil Revision Petition and called upon this Court to set aside the impugned order and grant relief as prayed for.

5.The learned counsel for the first respondent would submit that the first respondent has filed CRP(MD) No.607 of 2025 before this Court, seeking speedy disposal of the case in HMOP.No.38 of 2023 and this Court, vide order dated 03.03.2025, directing the trial Court to dispose of HMOP.No.38 of 2023 on or before 31.12.2025, had disposed of the said Civil Revision Petition.

6.I have considered the submissions made by the learned counsel for the petitioners and the learned counsel for the first respondent.

7.Perusal of the impugned order would reveal that the trial Court has rightly allowed the application in I.A.No.4 of 2025 in HMOP.No.38 of 2023 filed by the first respondent to amend the provision, under which, HMOP.No.38 of 2023 was filed and this Court also finds no



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illegality or infirmity in the order impugned passed by the trial Court.

Even though this Court is not inclined to set aside the order dated 21.11.2025 made in I.A.No.4 of 2025, in HMOP.No.38 of 2023 on the file of the Sub Court, Tirumangalam, Madurai District, in the interest of justice and also considering the hardship that would be caused to the petitioners, this Court is of the view that the petitioners could be given a chance to put their submission before the trial Court.

8.Accordingly, This Civil Revision Petition stands disposed of with a direction to the trial Court to hear the petitioners afresh on 17.12.2025 in the above case and pass appropriate orders afresh, keeping in mind of the fact that this Court, vide order dated 03.03.2025 in CRP(MD) No.607 of 2025, had already directed to dispose of HMOP.No.38 of 2023 on or before 31.12.2025. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

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

03.12.2025

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Note : Issue order copy on 08.12.2025

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To

The Subordinate Judge, Tirumangalam, Madurai District.



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N.SENTHILKUMAR, J.

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