



CRP(MD). No.3860 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

**CRP(MD). No.3860 of 2025
and
CMP(MD) No.20310 of 2025**

G.Robi

... Petitioner

Vs

Hema Merlin

... Respondent

PRAYER :-Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the order passed in I.A.No.1 of 2025 in DOP.No.354 of 2017 on the file of the Family Court, Padmanabhapuram.

For Petitioner : Mr.S.C.Herold Singh

For Respondent : Mr.A.Arun Ramnath

ORDER

This Civil Revision Petition has been filed challenging the order made in I.A.No.1 of 2025 in IDOP.No.354 of 2017 on the file of the Family Court, Padmanabhapuram.



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2.The marriage between the petitioner/husband and the respondent/wife was solemnized on 03.01.2003, according to Christian Rites and Customs. Out of their wedlock, they were blessed with two children. Due to difference of opinion, the respondent/wife filed IDOP.No.354 of 2017 before the Additional District and Sessions Judge, (Fast Track Court), Kanyakumari at Nagercoil, seeking divorce on the ground of desertion and cruelty.

3.Pending such petition, compromise was reached between the parties and based on such compromise, the learned Additional District and Sessions Judge, Nagercoil, vide order dated 05.10.2018, had disposed of IDOP.No.354 of 2017 and a decree of divorce was also ordered. Subsequently, the petitioner filed an application in I.A.No.1 of 2025 under Order XL VII Rule 1 CPC to review the order passed in IDOP.No.354 of 2017, dated 05.10.2018 and the same was also dismissed on 08.10.2025. Challenging the same, the present Civil Revision Petition has been filed.



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

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

6.The marriage between the petitioner/husband and the respondent/wife was solemnized on 03.01.2003 and due to difference of opinion, the respondent/wife filed IDOP.No.354 of 2017 before the Additional District and Sessions Judge, (Fast Track Court), Kanyakumari at Nagercoil, seeking divorce. Based on the compromise entered into between the parties, decree of divorce has been granted in IDOP.No.354 of 2017, vide order dated 05.10.2018 and thereafter, the petitioner filed an application in I.A.No.1 of 2025 to review the order, dated 05.10.2018, which was dismissed on 08.10.2025. As the decree of divorce was granted only on the ground of compromise, the question of re-opening



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the case in a matter, which is settled between the parties, does not arise at all.

7.The Court below had also held that with the consent of parties, order was passed and there is no sufficient reasons for review the order dated 05.10.2018. The Court below has given sound reasons. Interference is not warranted.

8.Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
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19.12.2025

To

The Judge, Family Court, Padmanabhapuram.



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N.SENTHILKUMAR, J.

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