



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 2903 of 2025

and C.M.P.No.16395 of 2025

B.Balamuralidaran

..Petitioner(s)

Vs

S.Monika

..Respondent(s)

PRAYER – This Civil Revision Petition is filed under Article 227 of the Constitution of India, to strike off the petition filed in HMOP.No. 5097 of 2023 on the file of the IV Additional Family Court, Chennai by allowing this Civil Revision Petition.

For Petitioner(s):

Mr.K.V.Babu

for Mr.P.Krishnan

For Respondent(s):

Mr.C.S.Dhanasekaran

ORDER

This Civil Revision Petition has been filed to strike off the petition filed in H.M.O.P.No.5097 of 2023 on the file of the IV Additional Family Court, Chennai.



2.The petitioner is the husband and the respondent is the wife. The wife (respondent) filed H.M.O.P.No.5097 of 2023 before the IV Additional Family Court, Chennai, seeking for dissolution of marriage on the ground of non-consummation of marriage. According to the petitioner, the Registry of the Family Court has numbered the H.M.O.P. filed by the respondent after the respondent altered the character of the original petition filed by her at the later stage.

3.The learned counsel for the petitioner drew the attention of this Court to the docket order passed by the Family Court, calling upon the respondent to comply with certain procedural requirements. Instead of complying with those requirements, according to the petitioner, the respondent has altered the very character of the original petition and therefore, the petitioner is entitled for the relief prayed for in this Civil Revision Petition, namely to strike off the petition filed by the respondent in H.M.O.P.No.5097 of 2023.

4.Admittedly, the Family Court has numbered the H.M.O.,P. and only thereafter, the petitioner has filed this Civil Revision Petition. Instead of approaching the Family Court for rejection of petition on account of the grounds raised by the petitioner before this Court in this Civil Revision Petition, the



petitioner has approached this Court directly by filing this Civil Revision Petition. Therefore, this Court is not entertaining this Civil Revision Petition, but however, grants liberty to the petitioner to approach the Family Court for rejection of H.M.O.P.No.5097 of 2023 by filing an appropriate petition which is legally permissible and as and when such a petition is filed, the Family Court shall dispose of the said application filed by the petitioner, if it is maintainable, as expeditiously as possible.

5.Accordingly, this Civil Revision Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

10-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSA

To

The IV Additional Judge,

Family Court, Chennai .



ABDUL QUDDHOSE, J.

GSA

**CRP No. 2903 of 2025
and C.M.P.No.16395 of 2025**

10-06-2026