



WEB COPY

CRP No. 485 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 485 of 2026

R. Devi
W/o Kuppuraj,
D/o Ramakrishnan,
No 5/704, E9, Athiyaman Nagar,
EB Office Route,
Dharmapuri 636701

..Petitioner(s)

Vs

Kuppuraj
S/o Mohan,
No 101, Arasamaram Pillayar Kovil Street,
Salem 636001.
Currently Res at 6202,
IVY Summit Ct,
Cumming, Georgia,
United States of America.

..Respondent(s)

Prayer: Civil Revision petition filed under Article 227 of Constitution of India to set aside the docket order dated 22.08.2025 passed by the Family Court, Dharmapuri, in Unnumbered G.W.O.P. of 2025 consequently direct the Family Court, Dharmapuri to take the said G.W.O.P. on file, number it, and proceed in accordance with law and pass such further or other orders as this Honble Court.

For Petitioner(s):

Mr.J. Pradeep



ORDER

WEB COPY This civil revision petition has been filed challenging the order of return passed by the Trial Court, raising objection with regard to the maintainability of the petition filed by the petitioner before the said court.

2. The petitioner herein filed a petition under Section 25 of the Guardian and Wards act, 1890 seeking custody of minor child Vijayan Kuppuraj. The Original Petition filed by the petitioner was returned by the court below on the ground that the minor child is residing at United States and he is an American Citizen and therefore, how the original petition is maintainable before the concerned court.

3. When the petitioner presented the petition, it was returned by the court below raising certain objections with regard to the maintainability of the petition before that court. Therefore, the petitioner is expected to re-present the papers by offering her explanations. Instead of following the said procedure, the petitioner is not entitled to invoke the supervisory jurisdiction of this court.

4. Therefore, the petitioner is directed to re-present the returned papers by offering her explanations to the return made by the court below, within two weeks from the date of receipt of copy of this order. If the Family Court is



satisfied with the explanations offered by the petitioner, the OP shall be numbered and disposed off in accordance with law. On the other hand, if the

Family Court is not satisfied with the explanations offered by the petitioner, the matter shall be called in open court and the petitioner shall be afforded with an opportunity to put forth her arguments. Thereafter, orders shall be passed on the question of maintainability, on its own merits.

5. With the above directions, this civil revision petition is disposed of. There shall be no order as to costs. The Registry is directed to return the original petition filed by the petitioner to the counsel for the petitioner.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MST

To

The Family Court, Dharmapuri.



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S.SOUNTHAR, J.

MST

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