



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 6045 of 2025

Noorul Ameen
S/O. Shaik Sukkur,
No.44, Second Floor, Kaivaliyar Street Lane,
Viluppuram Town.

..Petitioner(s)

Vs

Kowsinisha
D/o. Devaraj,
No.27, Barakhan Thaikal, B.Athivaranallur
Village and Post, Bhuvanagiri Taluk, Cuddalore
District - 608501.

..Respondent(s)

PRAYER

Civil Revision Petition filed under Art.227 of Constitution of India, praying to direct the Learned District Munsif cum Judicial Magistrate, Portonova to summarily decide the OS No. 54 / 2025 filed by the petitioner.

For Petitioner(s): Mr. Ali Hassan Khan

For Respondent(s): Mr.D.Magesh

ORDER

This Civil Revision Petition has been filed seeking a direction directing the District Munsif cum Judicial Magistrate, Portonova to summarily decide the suit in O.S.No.54 of 2025.

2. Before the trial court, the Revision Petitioner/plaintiff filed a suit in O.S.No. 54 of 2025 against the defendant for the relief of declaration to declare



the three Talaq pronounced by the plaintiff on 13.02.2023, 13.03.2023 and 28.06.2023 was valid and the same will bind on the defendant. As a husband, he sought a declaration to declare the marriage with the respondent dissolved by issuance of a Talaq. Therefore, he is entitled to file only the suit. Accordingly, he had filed the suit and now he wanted to dispose the same as summary proceedings and to that effect, he need some direction. In support of his contentions, he had relied the ratio laid down in the authority held by **High Court of Kerala in OP (FC) No. 476 of 2021** in the case of **Asbi K.N. VS. Hashim M.U..**

3. On the side of respondent, she had filed vakalat and entered appearance. The learned counsel for respondent raised objections stating that already he had filed a suit in O.S.No. 20 of 2019, both are aged about 44 years, from the year of 2017, they were separated and more than 7 years, the dispute is pending between them. But, the earlier suit was dismissed as premature one. Now, on the completion of proceedings, he had filed the said suit and to declare that the marriage was dissolved by issuance of the Talaq and he wanted to conduct the suit as summary proceedings.

4. Heard and considered rival submissions made by learned counsel for petitioner and respondent and perused the materials available on record.

5. Considering both side submissions, the fact reveals that the dispute pending between the parties is tried by the trial court and the same is liable to be disposed of within a period of four months summarily. The authority relied on



by the Revision Petitioner held by **High Court of Kerala in OP (FC) No. 476 of 2021** in the case of **Asbi K.N. VS. Hashim M.U.** is squarely applicable to the facts of the case. The opportunity is also to be given to the respondent. On hearing both sides, the trial judge is directed to conduct the enquiry as summary in nature and to dispose the suit within a period of four months from the date of receipt of copy of this order. Accordingly, this Civil Revision Petition is disposed of. No costs.

09-03-2026

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

RPP

To

The District Munsif cum Judicial Magistrate, Potonova.



WEB COPY

CRP No. 6045 of 2



T.V.THAMILSELVI J.

RPP

CRP No. 6045 of 2025

09-03-2026