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C.R.P.No.42 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.01.2026

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.42 of 2026
and CMP.No.82 of 2026

Sathiya

... Petitioner

vs.

Gangai Amaran

... Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to struck off the petition filed by the respondent in HMOP.No.185 of 2025 on the file of the Subordinate Court, Omalur, Salem District and allow the above Civil Revision Petition.

For Petitioner : Ms.D.Jeevitha

ORDER

The Civil Revision Petition is filed seeking to strike out the petition filed by the respondent in HMOP.No.185 of 2025 on the file of the Subordinate Court, Omalur, Salem District.

2. The learned counsel for the petitioner submits that the respondent is not a husband of the petitioner and she is having children out of wedlock



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with one Sekar. It is further submitted that the respondent filed petition for Restitution of Conjugal Rights against the petitioner, as if he validly married the petitioner by creating certain documents. The Court without verifying the veracity of the documents ought not have entertained the original petition.

3. Whether, there was a valid marriage between the petitioner and the respondent and whether the documents filed by the respondent along with original petition were created one, are all matters for evidence. The case of the petitioner that the respondent have filed original petition with false averment by creating the documents, has to be decided based on evidence adduced at the time of trial.

4. Therefore, this Court is not inclined to entertain the revision and accordingly, the Civil Revision Petition is dismissed with liberty to the petitioner to raise all the defense in her counter to the main original petition. No costs. Consequently, connected miscellaneous petition is closed.

07.01.2026

Index : Yes / No
Speaking order : Yes / No
Neutral Citation : Yes / No
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To

The Subordinate Court, Omalur,
Salem District.



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S.SOUNTHAR, J.

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