



Rev.Aplc.(MD) No.268 of 2025
and C.M.P.(MD) No.19704 of 2025



SUNDER MOHAN. J.,

The captioned Review Application of Madurai Bench was listed before this Court through Video Conferencing and was dismissed on 16.02.2026. But inadvertently, the order was typed as if it was a case of Principal Bench and the signed order was uploaded and despatched wrongly by the Principal Bench. Hence, this matter is listed today under the caption 'For Being Mentioned', at the instance of Registry.

2. Therefore, Registry is directed to change 'In the High Court of Judicature at Madras' at the 1st page of the order as 'Before the Madurai Bench of Madras High Court' and in the Docket, change 'Rev.Aplc.No.268/2025' as 'Rev.Aplc.(MD) No.268 of 2025' and thereafter, upload and despatch the corrected order, through Madurai Bench of this Court, forthwith.

17.04.2026

Note to Office:

Registry to despatch the order copy by 22.04.2026

ars/dk



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-02-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Rev.Aplc.(MD) No.268 of 2025
and C.M.P.(MD) No.19704 of 2025**

J.Mary Immagulate Rederigo,
W/O. Joseph Clarence Peeris,
No.149, Victoria Street,
Silver Lan, V.E.Road,
Tuticorin District.

Petitioner(s)

Vs

B.Joseph Clarence Peeris,
S/o. Benito,
No.72 B, Sethuraja Street,
Tuticorin.

Respondent(s)

PRAYER: Review Petition is filed under Order 47 Rule 1 C.P.C. r/w. under Section 114 of C.P.C. to review the judgment and decree made in C.M.A.(MD) No.528 of 2024 dated 22.08.2024 on the file of this Court and allow this Review Application.

For Petitioner(s): Mr.N.Muthu Vijayan

For Respondent(s): Mr.Ananth C.Rajesh



ORDER



The review petition has been filed on the ground that the petitioner / respondent in the impugned Civil Miscellaneous Appeal was not heard by this Court.

2. It is the case of the review petitioner that the petitioner's counsel passed away in the year 2021 and hence this Court ought to have issued notice to the review petitioner before deciding the appeal filed by the respondents.

3. In the above referred CMA the respondent herein had challenged the dismissal of his petition for divorce. This Court had passed the judgment on 22.08.2024 on merits after recording that there was no appearance for the review petitioner.

4. The review petitioner had not engaged any counsel after her counsel passed away in the year 2021. This Court is not expected to be aware of the fact of the death of the petitioner's counsel. The review petitioner who had not been diligent, is accusing the court of not issuing notice to her.

5. Be that as it may. The order in the Civil Miscellaneous Appeal, as stated above, has been passed on merits. This Court finds no reason to recall the said order and rehear the petitioner as admittedly the marriage between the petitioner and the respondent / husband is dead as they are living separately from the year 1990.



6. Accordingly, the review petition is dismissed. No costs. Connected miscellaneous is closed.

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16-02-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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SUNDER MOHAN J.

Bkn

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16.02.2026