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CRP No. 4913 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-10-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 4913 of 2025

and

CMP No.24847 of 2025

Pavithra

D/o. Sivakumar

Petitioner(s)

Vs

L.Rajeshkumar

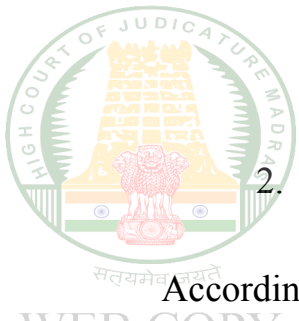
S/o. Loganathan,

Respondent(s)

For Petitioner(s): Mr. R.Chandra Sudan

ORDER

Challenging the order of return in an application filed under Order 39 Rule 1 and 2 CPC r/w. Section 7 of the Family Court Act, the present revision has been filed.

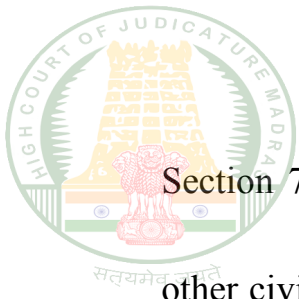


2. The Revision Petitioner is wife and the respondent is husband.

According to the revision petitioner, the respondent had filed F.C.O.P. No.298 of 2023 before the Family Court, Chengalpet and obtained an exparte decree for dissolution of their marriage. The petitioner has already moved the Family Court for setting aside the exparte decree along with an application to condone the delay.

3. Since the petitioner came to understand that the respondent is hurriedly attempting to contract a second marriage, the petitioner was constrained to move an interlocutory application seeking relief of interim injunction to restrain the respondent from performing the second marriage or taking any steps to remarriage, pending disposal of the petitioner's application to set aside the exparte decree.

4. The learned counsel for the petitioner has relied on the decision of this Court in ***Prasanna Sankaranarayanan /vs/ Dhiyya Shashidar 2025 (1) MLJ 555*** , wherein this Court had an occasion to discuss the letter and spirit of



Section 7 of the Family Courts Act, and held that the Family Court, like any other civil court, has the power to grant injunction. Referring to that judgment,

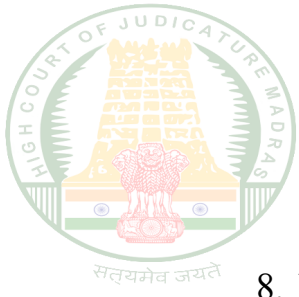
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the learned counsel for the petitioner would therefore state that in the event of the petitioner ultimately succeeding the *exparte* decree set aside, then the proposed marriage, which is to be contracted by the respondent would also become questionable and it would lead to unpleasant consequences.

5. The learned counsel would also state that the petitioner has not complied with the order of return and represent the papers before the Family Court on account of the Family Court Judge not sitting for four days. Hence, in view of the urgency, the revision has been filed.

6. On consideration, I find *prima facie* made out for grant of interim injunction.

7. There shall be an order of interim injunction.



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8. Notice to the respondent returnable by 04.11.2025. Private Notice is also permitted.

List the matter on 04.11.2025

14-10-2025

mrp

To

The Family Court,
Chengalpattu.



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P.B.BALAJI J.

mrp

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