

C.R.P.(MD)No.3805 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2026

CORAM

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

C.R.P.(MD)No.3805 of 2025

and

C.M.P.(MD)No.20041 of 2025

J.Vellaiammal @ Sumathi

... Petitioner

Vs

Adiveerapandiyan

... Respondent

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records pertaining to the fair order and decretal order dated 18.09.2025 in I.A.No.7 of 2025 in H.M.O.P.No.347 of 2022 on the file of the Family Court, Tirunelveli and set aside the same.

For Petitioner : Mr.Sanjay Sundaram

For Respondent : Mr.Ilam Bharathi

for Mr.S.Kishore Kumar



C.R.P.(MD)No.3805 of 2025

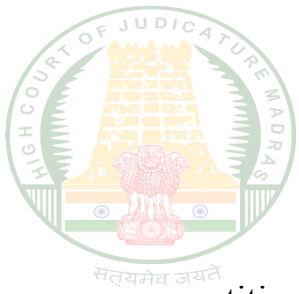
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ORDER

The present Civil Revision Petition has been filed challenging the order passed by the learned Judge, Family Court, Tirunelveli, in I.A.No.7 of 2025 in H.M.O.P.No.347 of 2022, dated 18.09.2025.

2.Heard Mr.Sanjay Sundaram, learned Counsel for the Revision Petitioner and Mr.Ilam Bharathi, learned Counsel representing Mr.S.Kishore Kumar, learned Counsel for the respondent.

3.The petitioner is the wife and the respondent is the husband. Their marriage was solemnized on 16.11.2011. Since there were issues raised between them, they are living separately and the respondent herein has filed a petition in H.M.O.P.No.347 of 2022 before the Family Court, Tirunelveli, seeking divorce. During the pendency of the proceedings, the petitioner herein has filed an application in I.A.No.4 of 2023 seeking interim maintenance and the same was allowed. Aggrieved by the same, the respondent herein has filed an appeal and the same was dismissed by the appellate Court. Thereafter, the



C.R.P.(MD)No.3805 of 2025

WEB COPY

petitioner herein has filed an application in I.A.No.7 of 2025 for production of certain documents. The Court below, vide impugned order, dated 18.09.2025, has dismissed the said application on the ground that the documents sought by the petitioner are not relevant to the main petition and those documents can be necessary for seeking interim maintenance and as already the petitioner herein has received a sum of Rs.50,000/-, as interim maintenance, the present application is not maintainable. Challenging the same, the present application has been filed.

4.The learned Counsel for the petitioner submitted that very inception of initiation of the HMOP proceedings, the respondent has not disclosed his job status and has not filed his assets and liabilities in his application and that to ascertain the same, the present application has been filed. Further, in the affidavit filed by the respondent before the Court below, there is no whisper about his present avocation and the place of residence at the time of desertion and that in order to reconstitute the conjugal rights, the petitioner has filed the present application, which has been wrongly dismissed by the Court below.

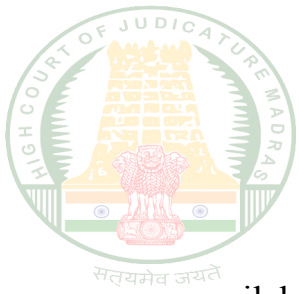


C.R.P.(MD)No.3805 of 2025

WEB COPY

5.He further submitted that the Court below has erred in dismissing the application filed by the petitioner herein holding that the documents sought by the petitioner can be necessary for deciding the interim maintenance, which is *per se* illegal, as the petitioner sought those documents in order to reconstitute her conjugal rights. Further, the Court below has not considered the statement of the respondent during cross examination, in which, the respondent has not stated anything about his whereabouts and his present job status. Without considering these facts, the Court below has erroneously dismissed the application filed by the petitioner, which needs interference of this Court.

6.*Per contra*, the learned Counsel for the respondent denied the submissions made by the learned Counsel for the petitioner. He submitted that the petitioner herself has already filed all the details along with assets and liabilities in the application for interim maintenance and that the petitioner's request for production of certain documents is only with an intention to drag on the proceedings and to humiliate the respondent. The learned Counsel also submitted that the Court below after considering the entire facts and materials



C.R.P.(MD)No.3805 of 2025

WEB COPY

available on record has rightly passed the impugned order, which does not warrant interference of this Court.

7.This Court, vide order, dated 22.01.2026, had passed the following order:

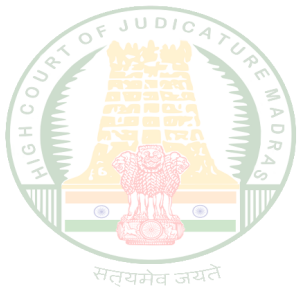
“This Civil Revision Petition has been filed challenging the order dated 18.09.2025 made in I.A.No.07 of 2025 in H.M.O.P.No. 347 of 2022 on the file of the Family Court, Tirunelveli.

2.Perusal of records would reveal that the respondent/P.W1, in his cross-examination had stated as follows:-

“..... நான் என் தம்பி சுந்தரபாண்டியன் மற்றும் என் தந்தை மருத்துவமனையில் 3 பங்குதாரர் என்றால் சரியல்ல. என்னுடைய மனுவில் நான் சென்னையில் வேலை பார்ப்பதாக சொல்லியுள்ளேன் என்றால் 2021ல் மனு தாக்கல் செய்யும் போது நான் சென்னையில் வேலை பார்த்து வந்தேன். சென்னையில் எந்த கம்பெனியில், என்ன வேலை பார்த்தேன் என்பதை என் மனுவில் குறிப்பிடவில்லை என்றால் இந்த வழக்கிற்கும் நான் எங்கு வேலை பார்க்கிறேன் என்றும் சம்மந்தம் இல்லாததால் நான் குறிப்பிடவில்லை. ஒரு மனைவிக்கு கணவன் எங்கு வேலை பார்க்கிறார் என்பது தெரியவேண்டும் என்று சொன்னால் 2013 ல் பிரிந்து விட்டோம் பிரிந்து 12 வருடங்கள் ஆகிவிட்டதாலும், இந்த வழக்கிற்கு நான் என்ன வேலை செய்கிறேன். எங்கு உள்ளேன் என்பது அவருக்கு தெரியவேண்டியதில்லை. 2013லிருந்து நாங்கள் பிரிந்திருப்பதாக வழக்கிற்காக பொய்யாக சொல்கிறேன் என்றும், வழக்கு தாக்கல் செய்யும் போது என்னுடன் தான் இருந்தார் என்றால் சரியல்ல. நான் மனுவில் கூறியுள்ள சென்னையில் உள்ள முகவரியில் எவ்வளவு ஆண்டுகள் குடியிருந்தேன் என்றால் 2021 முதல் 2023 வரை குடியிருந்தேன்.....”

3.Such a stand taken by the respondent is absolutely interferes with the justice delivery system. The respondent is hereby directed to appear before this Court in person on 10.02.2026, without fail.

4.Post on 10.02.2026 for appearance of the respondent in person.”



C.R.P.(MD)No.3805 of 2025

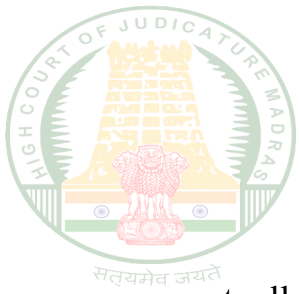
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8.Pursuant to the order passed by this Court, the respondent appeared before this Court.

9.According to the revision petitioner, the revision petitioner has posed several questions with regard to the place of employment and for this specific question, the respondent has not answered properly.

10.The respondent submitted that he has not answered the specific question with regard to his employment, as according to him, it is only to fill up the lacuna by the revision petitioner/wife.

11.Mr.Ilam Bharathi, learned Counsel for the respondent submitted that the specific case of the petitioner is that they were living as husband and wife and there is no question of desertion, as pleaded by the revision petitioner herein and therefore, the said question is posed only to fill up the lacuna to ensure that where the husband was residing at the time of the separation. If



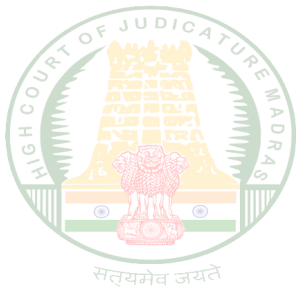
C.R.P.(MD)No.3805 of 2025

WEB COPY

actually the respondent and the revision petitioner was living as husband and wife, the address would have been very well known to the wife and therefore, the respondent has not answered this question.

12.This Court is of the view that there may be a valid reasons for the respondent to give a reply, but there should be a reply, which will not traverse the truth, because the truth is the ultimate end of justice, which was about to be thrashed out by putting suggestion and to fill up the lacuna.

13.From the documents, it is not in dispute that the respondent is the husband and the petitioner is wife and they after their marriage, due to misunderstanding, they are living separately and the respondent herein has filed a petition for divorce. During the said proceedings, the petitioner has filed an application for interim maintenance and the same was allowed. Subsequently, the petitioner has filed another application seeking certain documents from the respondent. However, the Court below, vide impugned order, has dismissed the said application.



C.R.P.(MD)No.3805 of 2025

WEB COPY

14.The respondent has filed the petition for divorce by giving his Chennai address, as he is working at Chennai. From the perusal of the document would reveal that the petitioner has sought the documents, ie., the details with regard to the name and address of the place of work of the respondent; income tax return of the respondent, pan card details, bank statements, salary certificate, passport copy, etc. It is not relevant for the petitioner to sought those documents, as already she has received interim maintenance and that those documents, as rightly contended by the respondent, has been sought only to fill up the lacuna. As rightly held by the Court below that the documents sought by the petitioner are all not relevant to deciding the case and from the perusal of the impugned order, this Court does not find any infirmity or irregularity, which does not warrant interference of this Court.

15.In the result, the Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.02.2026



C.R.P.(MD)No.3805 of 2025

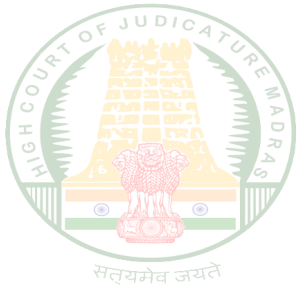
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:Yes/No

:Yes/No

To

The Judge, Family Court, Tirunelveli.



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C.R.P.(MD)No.3805 of 2025

N.SENTHILKUMAR, J.

cmr

C.R.P.(MD)No.3805 of 2025

10.02.2026