

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.07.2017

CORAM

THE HON'BLE MR.JUSTICE RAJIV SHAKDHER
AND
THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

O.S.A.No.241 of 2014
and M.P.No.1 of 2014

1. K.R.Rajeesh Kumar
2. K.R.Ranjiv Ragav
3. Simi
4. Shika

.. Appellants

Vs.

K.R.Reshma Sawini

.. Respondent

* * *

Prayer : Appeal filed under Order XXXVI, Rule 1 of Original Side Rules read with Clause 15 of Letters Patent, against the Judgement and Order dated 25.06.2014 made in C.S.No.847 of 2009.

* * *

For Appellants : Mr.B.Ullasavelan for A1 to A3

For Respondent : Mr.GRM Palaniappan

JUDGEMENT

(Judgement of the Court was delivered by RAJIV SHAKDHER,J.)

1. This is an appeal preferred against the judgement and decree dated 25.06.2014, passed in C.S.No.847 of 2009.

2. Vide order dated 03.07.2017, we have directed issuance of notice to appellant No.4.

2.1. We are informed that appellant No.4 has been served. In this behalf, an affidavit of service dated 27.07.2017, has been placed on record. The name of appellant No.4 is also printed in the cause list.

2.2. To be noted, in a connected appeal, i.e., O.S.A.No.240 of 2014, a settlement has been arrived at, between appellants No.1 to3, and the respondent herein, i.e., Mr.K.R.Reshma Sawini, which includes Ms.K.Nalini Raghavan. Ms.Nalini Raghavan is the mother of appellant Nos.1 and 2 and the respondent herein.

3. This appeal, as would be evident from the order dated 03.07.2017, has, in fact, been rendered infructuous, in view of the settlement.

3.1. The only reason notice was issued to appellant No.4 was that, she was not represented in Court on that date.

3.2. To be noted, we had recorded in the order dated 03.07.2017, that appellant No.2 has obtained a decree of divorce qua appellant No.4.

4. Given the fact that appellant No.4 has chosen not to appear

before the Court, despite service of notice, we are closing the appeal, as prayed for, by the counsel for appellants No.1 to 3 and the counsel for the respondent.

5. Resultantly, pending application shall stand closed. There shall be, however, no order as to costs.

6. Accordingly, the appeal shall stand consigned to record.

(R.S.A., J.) (A.Q., J.)
27.07.2017

Index : Yes / No
Internet : Yes
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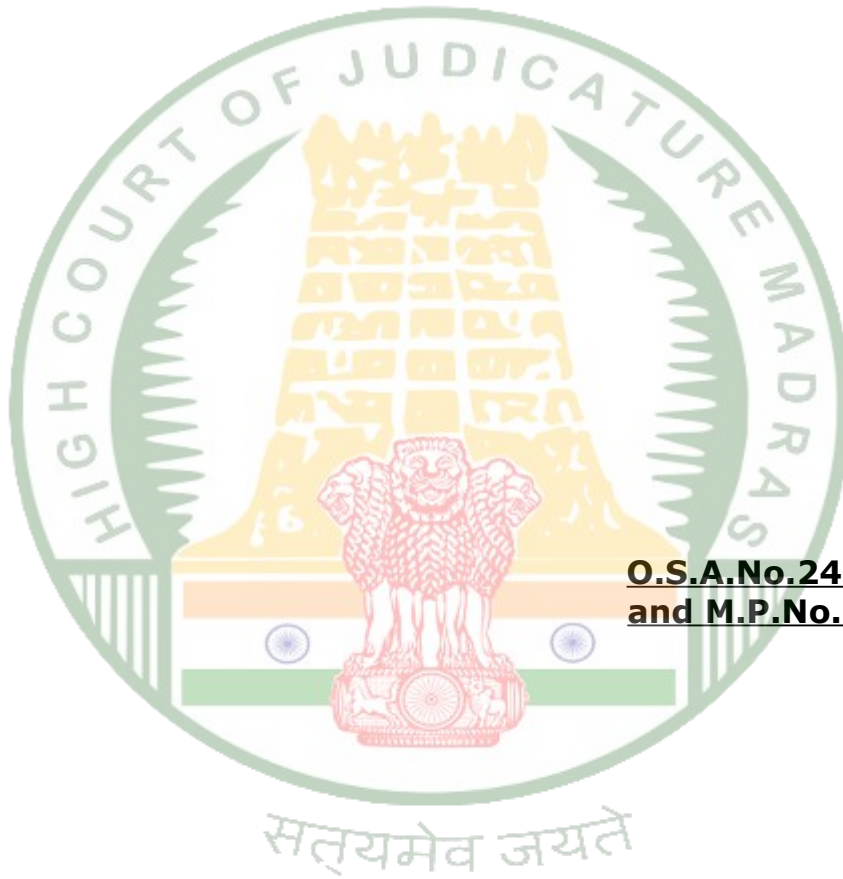
The Sub Assistant Registrar,
Original Side, High Court,
Madras.

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**RAJIV SHAKDHER, J.
AND
ABDUL QUDDHOSE, J.**

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**O.S.A.No.241 of 2014
and M.P.No.1 of 2014**

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27.07.2017