

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2017

CORAM : THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

CMA.No.1497 of 2008
and
M.P.No.1 of 2008 & M.P.No.1 of 2012

Raja Perumal

... Appellant

Vs.

Krishnaveni

... Respondent

Prayer : Civil Miscellaneous Appeal filed under Order 41 Rule 1 CPC against the judgment and decree dated 20.02.2008 on the file of Additional District Court, Fast Track Court No.III, Poonamalle in HMOP.No.4 of 2002 allowing the petition for restitution of conjugal rights under Section 9 of Hindu Marriage Act.

For Appellant :No Appearance
For Respondent :Mr.V.Sairam

JUDGMENT

This appeal is filed by the appellant challenging the award passed in HMOP.No.4 of 2002 on the file of Additional District Court, Fast Track Court-III, Poonamallee, for restitution of conjugal rights. The husband has come forward with this appeal.

2. When the case was posted for final disposal on 20.12.2016, Tr.N.Hariharan, the counsel on record for M/s.U.M.Ravichandran informed this Court that they have handed over the papers to the appellant. This Court, however directed issuance of Court notice on the appellant. There is no improvement in the situation ever since.

3. Technically, when the bundles are handed over by the counsel to the party, it is the responsibility of the party either to intimate the Registry of his option to appear in person or to engage some other counsel. There is no real need to issue Court notice on the appellant. It appears that the appellant has not

come to prosecute the matter and hence this appeal is dismissed for default. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

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Sub Assistant Registrar

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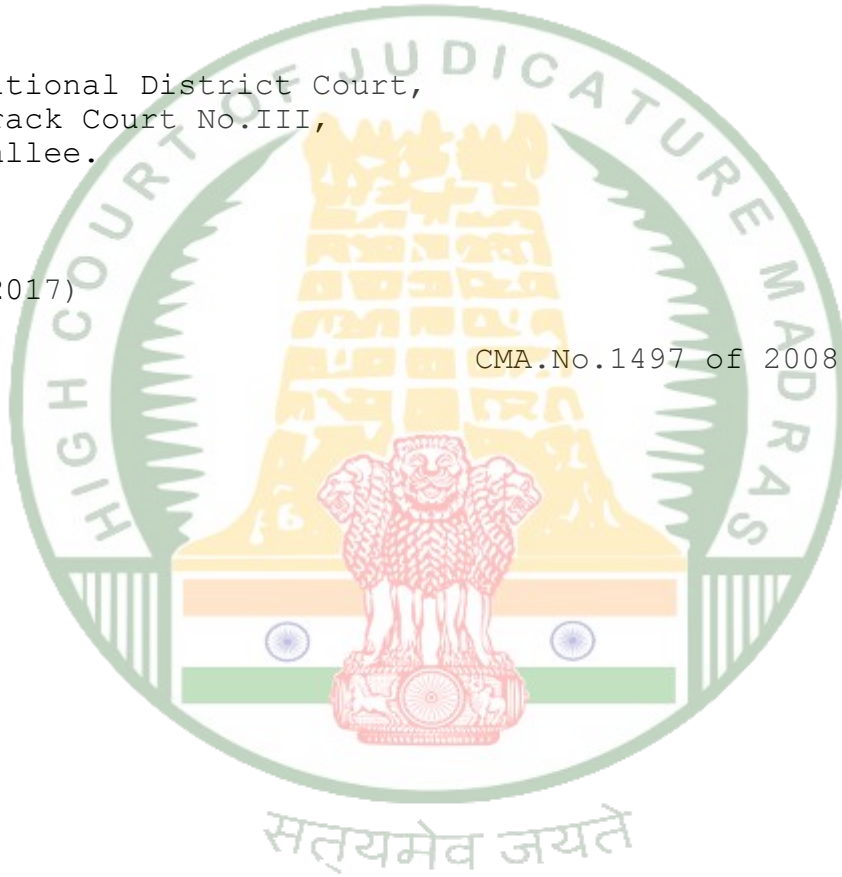
To:

1.The Additional District Court,
Fast Track Court No.III,
Poonamallee.

ks (CO)

md(13/02/2017)

CMA.No.1497 of 2008



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