



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2017

WEB COPY

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A. (MD) No.333 of 2016
and
C.M.P. (MD) No.4634 of 2016

Thivyan Dhayalan

... Appellant

Vs.

Divyapriyadarshini Esther

... Respondent

Prayer : This Civil Miscellaneous Appeal is filed under Section 44 of the Divorce Act, 1869, to set aside the fair and decretal order passed in I.D.O.P.No.467 of 2013 dated 10.03.2016 on the file of the Principal District Court, Tuticorin.

For Appellant : Mr.H.Arumugam

Respondents : Mr.R.Anand

JUDGMENT

The marriage between the appellant and the respondent took place on 20.11.2009 as per Christian rites and customs. The respondent filed I.D.O.P.No.467 of 2013 on the file of the Principal District Judge, Tuticorin, seeking declaration that what took place between them was a nullity. The learned Judge allowed the petition by order dated 10.03.2016. Questioning the same, this appeal has been filed.

2.It is made clear that the findings rendered by the trial Judge are only for the limited purpose of testing the validity of the marriage that took place between the appellant and respondent. The observations and remarks made against the appellant herein stand expunged.

3.With this clarification and expunging of the adverse remarks against the appellant, this appeal stands dismissed. The order dated 10.03.2016 made in I.D.O.P.No.467 of 2013 on the file of the



Principal District Court, Tuticorin is otherwise confirmed. No costs. Consequently, connected miscellaneous petition is also dismissed.

WEB COPY

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Judge, Tuticorin.

2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 88865

ARUL

TE/MR-KKR/SAR-2 : 06/12/2017 : 2P/4C

C.M.A. (MD) No.333 of 2016 and
C.M.P. (MD) No.4634 of 2016
22.11.2017