



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

C.M.A(MD)NO.1121 OF 2016
and
C.M.P(MD)Nos.10176 of 2016 and 1795 of 2018

G.Indumathi : Appellant/Respondent

. vs .

K.Ganesh Arunkumar : Respondent/Petitioner

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, 1984, praying this Court to set aside the fair and decreetal order passed in H.M.O.P.No.9 of 2015, dated 16.11.2015, on the file of Family Court, Tirunelveli.

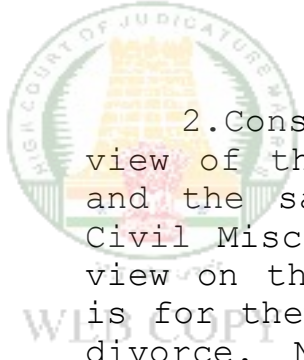
For Appellant : Mr.S.Satheeshkumar
for M/s.H.Arumugam
For Respondent : Mr.PR.Boomeerajan

JUDGEMENT

[Judgement of the Court was made by K.RAVICHANDRABAABU,J.]

The learned counsel for the appellant submits that this appeal can be closed in view of the subsequent developments, which are as follows:

The respondent herein, as appellant, has filed O.P for divorce before the Court below. However, the Court below has granted a decree for Judicial Separation for two years. Challenging the said decree, the appellant/wife filed the present Civil Miscellaneous Appeal. But in the meantime, on such completion of two years, the respondent/husband filed another O.P.No.309 of 2017, on the file of Family Court, Tirunelveli seeking for divorce and the said O.P is still pending. Therefore, it is contended that nothing remains in this appeal to be adjudicated upon further on merits.



2.Considering the above said facts and circumstances and in view of the admitted fact that another O.P is filed for divorce and the same is pending before Family Court, Tirunelveli, this Civil Miscellaneous Appeal is disposed of, without expressing any view on the merits and contentions raised by both parties, as it is for them to agitate the same before the said O.P filed seeking divorce. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Judge,
Family Court,
Tirunelveli.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.H.ARUMUGAM, ADVOCATE IN SR No. 61817
+ 1 CC TO Mr.PR.BOOMEERAJAN, ADVOCATE IN SR No. 61444

VSN

TE/RSK/SAR-4 : 09/05/2018 : 2P/6C

JUDGEMENT MADE IN
C.M.A(MD)NO.1121 OF 2016 and
C.M.P(MD)Nos.10176 of 2016
and 1795 of 2018
16.04.2018