



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the third day of September, Two Thousand and Eighteen
present

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.S.A. (MD).No.17 of 2017

V.Mahalingam

... Appellant/Appellant/
Petitioner

Vs.

M.Hemamalini

... Respondent/Respondent/
Respondent

PRAYER: Civil Miscellaneous Second Appeal filed under Section 28 of Hindu Marriage Act, 1955, r/w Section 100 of Civil Procedure Code, 1908, to set aside the Judgment and decree dated 11.03.2011 made in CMA No.20 of 2010 on the file of the First Additional Sessions Judge (PCR), Thanjavur, confirming the Judgment and decree dated 27.04.2010 made in HMOP NO.108 of 2005, on the file of the Principal Subordinate Judge, Thanjavur, with costs throughout.

DECREE: This Civil Miscellaneous Second Appeal is coming on for hearing on this day and upon perusing the grounds of Appeal, the Judgment and Decree of the Lower Appellate Court and the Court of First instance and the material papers in the Appeal and upon hearing the arguments of Mr.Ajmal Khan, Senior Counsel for M/s.Ajmal Associates for the Appellant and Mr.M.P.Senthil for the respondent, and this Court doth order and decree as follows:

1) That the Judgment and decree dated 11.03.2011, made in CMA No.20 of 2010 by the First Additional Sessions Judge (PCR), Thanjavur confirming the Judgment and decree dated 27.04.2010 made in HMOP NO.108 of 2005, by the Principal Subordinate Court, Thanjavur be and hereby are confirmed and the Civil Miscellaneous Second Appeal is Dismissed.

2) that there be no costs in this Civil Miscellaneous Second Appeal.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)



To

1.The First Additional Sessions Judge (PCR),
Thanjavur.

2.The Principal Subordinate Judge, Thanjavur.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai. (2 COPIES)

+1cc to Mr.A.Arumugam, Advocate, SR.No. 81964

+1cc to Mr.M.P.Senthil, Advocate, SR.No.81995

DATED: 03.09.2018

DECREE

C.M.S.A.(MD).No.17 of 2017
Dismissing the Appeal preferred
against the Judgment and decree
dated 11.03.2011 made in CMA
No.20 of 2010 on the file of
the First Additional Sessions
Judge (PCR), Thanjavur,
confirming the Judgment and
decree dated 27.04.2010 made in
HMOP No.108 of 2007, on the
file of the Principal
Subordinate Judge, Thanjavur
etc., as stated within.

KK/SAR-/29.03.2019/2P-7C