

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.02.2019

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

C.M.S.A.NO.54 OF 2011

P.Muthusamy

... Appellant/Petitioner

Vs.

M.Saraswathi @ Mania

... Respondent/Appellant

PRAYER: This Civil Miscellaneous Second Appeal filed under Section 28 of Hindu Marriage Act read with under Section 100 of Civil Procedure Code praying to prefer this Memorandum of Grounds of Civil Miscellaneous First Appeal against the Fair and Final order dated 05.08.2011 made in C.M.A.No.66 of 2010 on the file of Additional District Judge-cum-Fast Tract Court No.1, Erode, reversing the Fair and Final Order in H.M.O.P.No.11 of 2008 on the file of Principal Sub Court, Erode dated 19.07.2010 is liable to be set aside.

For appellant : Mr.A.K.Kumarasamy

For respondent : Mr.G.Pavendhar

J U D G M E N T

This Civil Miscellaneous Second Appeal is filed by the Appellant seeking to prefer this Memorandum of Grounds of Civil Miscellaneous First Appeal against the Fair and Final order dated 05.08.2011 made in C.M.A.No.66 of 2010 on the file of Additional District Judge-cum-Fast Tract Court No.1, Erode, reversing the Fair and Final Order in H.M.O.P.No.11 of 2008 on the file of Principal Sub Court, Erode dated 19.07.2010 is liable to be set aside.

2.The learned counsel for the appellant submits that there is no response from his client. He filed a memo dated 14.02.2019 to that effect which reads as under:

"MEMO FILED BY APPELLANT

In the above matter, came up for final hearing on 24.11.2018. I sent registered letter to our parties and the letter has been served and there is no response for the same. Hence I am filing this memo to "Report No Instruction" on behalf

of appellant. This memo may be received and recorded in the interests of justice.

Dated at Chennai, this 14th Day of February 2019."

3. Recording the same, the Civil Miscellaneous Second Appeal is dismissed for default. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Additional District Judge-cum-Fast Tract Court No.1,
Erode.

2.The Principal Subordinate Judge,
Erode.

+1cc to M/S.G.Pavendhan, Advocate sr.13509

C.M.S.A.NO.54 OF 2011

sai[col]
srg 04/04/2019

सत्यमेव जयते
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