



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C.NO.500 OF 2013

V.Nirmala

...Petitioner/Petitioner

Vs.

A.C.Vijayasekaran

...Respondent/Respondent

This Criminal Revision is filed under Section 397 read with 401 of Code of Criminal Procedure, to call for the records pertaining to the impugned order passed by the learned II Additional Family Court, Chennai in M.C.No.554 of 2010 dated 04.01.2013 and to set aside the same.

For Petitioner : No Appearance

For Respondent : Mr.C.Rajasekar

O R D E R

This revision has been filed to set aside the order passed by the learned II Additional Family Court, Chennai in M.C.No.554 of 2010 dated 04.01.2013.

2. When the matter was taken up for hearing on 09.08.2019, none appeared on behalf of the petitioner. Therefore, this Court directed the Registry to remove the name of the counsel for the petitioner on record and print the name of the petitioner in the cause list and posted the matter on 16.08.2019. Even today also, there is no representation on behalf of the petitioner.

3. The learned counsel for the respondent would submit that during pendency of the revision, both the parties have entered into compromise between them. Based on the compromise, the Family Court has passed order in O.P.No.2816 of 2004 dated 11.08.2015. As per the order of the Family Court, the revision petitioner should have withdrawn all the proceedings filed before this Court and the Family Court. Hence, this revision is liable to be dismissed as infructuous.

4. Heard the learned counsel for the respondent and perused



the material available on record. There is no representation on behalf of the petitioner.

5. On reading of the order passed by the Family Court, it reveals that the petitioner and the respondent have agreed to withdraw all the proceedings before the High Court and the Family Court and the learned II Additional City Civil Court, Chennai, after receiving balance of the amount of Rs.44,00,000/- paid as per the compromise memo and recording the same before the learned I Additional Family Court, Chennai. But, the petitioner has not come forward to withdraw the revision before this Court.

5. In view of the submissions made by the learned counsel for the respondent and on a perusal of the order passed by the Family Court, nothing survives in the present criminal revision.

6. Accordingly, the Criminal Revision is dismissed as infructuous.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rli

To

The Presiding Judge,
The II Additional Family Court,
Chennai.

+1cc to Mr.C.Rajasekar, Advocate, S.R.No.69971

Cr1.R.C.No.500 of 2013

NR(CO)
CS/03/10/2019