



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE **N.KIRUBAKARAN**

AND

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.M.A. (MD) No. 561 of 2018

M.Boominathan : Appellant/Respondent/Petitioner

Vs.

V.Archana : Respondent/Petitioner/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 28 of the Hindu Marriage Act, 1955, challenging the fair and decreetal order and decree made in I.A.No.223 of 2016 in H.M.O.P.No.314 of 2014, dated 06.04.2018, on the file of the Family Court, Dindigul.

For Appellant : Mr.A.Arul Jenifer

JUDGMENT

(Judgment of the Court was delivered by **N.KIRUBAKARAN, J.**)

This Civil Miscellaneous Appeal is filed by the appellant as against the interim maintenance granted by the Family Court, in I.A.No.223 of 2016 in H.M.O.P.No.314 of 2014, dated 06.04.2018, in favour of the respondent.

2. The petition in H.M.O.P.No.314 of 2014 is filed by the appellant under Section 13(1)(ib) of the Hindu Marriage Act to dissolve the marriage held between the parties on 31.05.2012. Pending disposal of the HMOP petition, an interim order has been passed in I.A.No.223 of 2016, against which, the present appeal is filed.

3. When the matter is taken up for hearing today, the learned Counsel for the appellant would submit that the main HMOP petition itself has been ordered on 18.01.2019, in favour of the appellant, granting divorce as prayed for. Moreover, he has filed a memo that the appellant settled the matter by paying a sum of Rs.4,20,000/- to the respondent as a life time alimony.



4. Taking into consideration the fact that the main HMOP petition itself has been disposed of and the appellant has sought permission to withdraw this appeal, this civil miscellaneous appeal is dismissed as withdrawn.

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Sd/-

Assistant Registrar (AD-II)

// True Copy //

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Sub Assistant Registrar (CS)

gk

To

The Judge,
Family Court,
Dindigul.

**C.M.A. (MD) No.561 of 2018
27.11.2020**

mr (CO)
TR(11.12.2020) 2P 2C