

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

C.M.S.A.No.39 of 2011

and

M.P.No.1 of 2011

K. Baskar

.. Appellant

Versus

Krishnaveni

.. Respondent

Prayer: Civil Miscellaneous Second Appeal filed under Section 100 of the Code of Civil Procedure, against the decree and judgment passed by the Principal District Judge, Krishnagiri in CMA.No.14 of 2010 on 12.01.2011 confirming the decree and judgment passed by the Subordinate Court, Hosur in M.O.P.No.6 of 2004 dated 18.01.2010.

For Appellant : Mrs. S. Hemamalini

for Mr.K.Sukumaran

For Respondent : Not Ready in Notice

J U D G M E N T

This Court passed an order on 02.08.2011, ordering notice to the respondent returnable in four weeks. Private notice was also permitted and interim stay on condition was also issued directing the appellant to pay a sum of Rs.10,000/- which is the 50% of the amount awarded by the Court below. In spite of the orders passed by this Court, the appellant has not taken any steps to serve notice to the respondent. The notice sent was returned as 'door locked'. However, further steps are not taken for the past about nine years to serve notice to the respondent nor privately. The issues raised relates to matrimonial dispute and the appellant has not served notice to the respondents. Thus, this Court is not inclined to keep the appeal pending for an unspecified period and therefore, the CMSA.No.39 of 2011 stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

1.The Principal District Judge, Krishnagiri.

2.The Subordinate Judge, Hosur.

+1 cc to M/s.k.Sukumaran, Advocate Sr.No. 6226

C.M.S.A.No.39 of 2011 and
M.P.No.1 of 2011

SSI (CO)
RMP (03/03/2021)