

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

C.M.S.A.No.6 of 2013

E.Gunasekaran

.. Appellant

Vs.

S.Chitra

.. Respondent

PRAYER This Civil Miscellaneous Second Appeal is filed under Section 28 of Hindu Marriage Act, R/w Section 100 C.P.C., against the judgment and decree passed by the Learned Additional District and Fast Track Judge No.4, Ponneri in C.M.A.No.20 of 2008 dated 11.01.2011 by confirming the judgment and decree of the Sub Court, Ponneri in H.M.O.P.No.19 of 2004 dated 14.02.2008.

For Appellant : No appearance

For Respondent : Not ready in notice

JUDGMENT

This Court passed an order on 22.11.2013, ordering notice to the respondents returnable in two weeks.

2. In spite of the orders, the appellant has not taken any steps to serve notice to the respondents for the past about 7 years. Till now, notice has not been served to the respondents.

3. This apart, when the matter was listed for hearing on 08.02.2021, none appeared on behalf of the appellant. Thus, this Court passed an order, directing the Registry to list the matter on 10.02.2021 under the caption "For Dismissal".

4. Again, when the matter was listed for hearing on 15.02.2021, there was also no representation on behalf of the appellant. In order to give one more opportunity, this Court once again passed an order, directing the Registry to list this matter under the caption "For Dismissal" on 17.02.2021.

5. When the matter is taken up for hearing today i.e., on 23.02.2021, none appeared for the appellant. Thus, it is

evident that the appellant is not interested in pursuing the matter.

6. For all these reasons, this Court is of an opinion that no purpose would be served in the event of keeping the matter pending any further.

7. Accordingly, the Civil Miscellaneous Second Appeal in C.M.S.A.No.6 of 2013 stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Learned Additional District and Fast Track Judge No.4, Ponneri.
2. The Sub Court, Ponneri.

SSN(CO)
CSR 18.03.2021

C.M.S.A.No.6 of 2013

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