

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.M.A. No.1811 of 2017

K.Mohanraj ...Appellant/Respondent
vs.
S.Suganya ...Respondent/Petitioner

Civil Miscellaneous Appeal filed under Section 19(1) of the Family Court Act, to set aside the fair and decretal order passed by the Family Court at Erode District in F.C.O.P. No.120 of 2016 dated 04.02.2017 and consequently to dismiss the same.

For Appellant : Mr.M.Suresh Kumar
(No Appearance)
For Respondent : Mr.C.E.Pratap

J U D G M E N T

This Civil Miscellaneous Appeal is directed against the fair and decretal order passed by the Family Court at Erode District in F.C.O.P. No.120 of 2016 dated 04.02.2017, granting divorce to wife and dissolving the marriage solemnised on 28.03.2012 between the appellant and the respondent.

2. After admission, when the matter was taken up for hearing on 19.09.2019 and again on 02.02.2021, the docket order shows that continuously neither the counsel for the appellant nor the appellant, did prosecute the case. Even today, on the third occasion also, no one appears for the appellant. Mr.C.E.Pratap, learned counsel appearing for the respondent, urged this court to dismiss the civil miscellaneous appeal for default.

3. As there was no representation for the appellant consecutively on three occasions, we are inclined to dismiss the civil miscellaneous appeal for non prosecution. Accordingly, the

civil miscellaneous appeal is dismissed for non~prosecution.
However, there shall be no order as to cost.

Sd/-
Asst.Registrar (CS VI)

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Sub Asst. Registrar

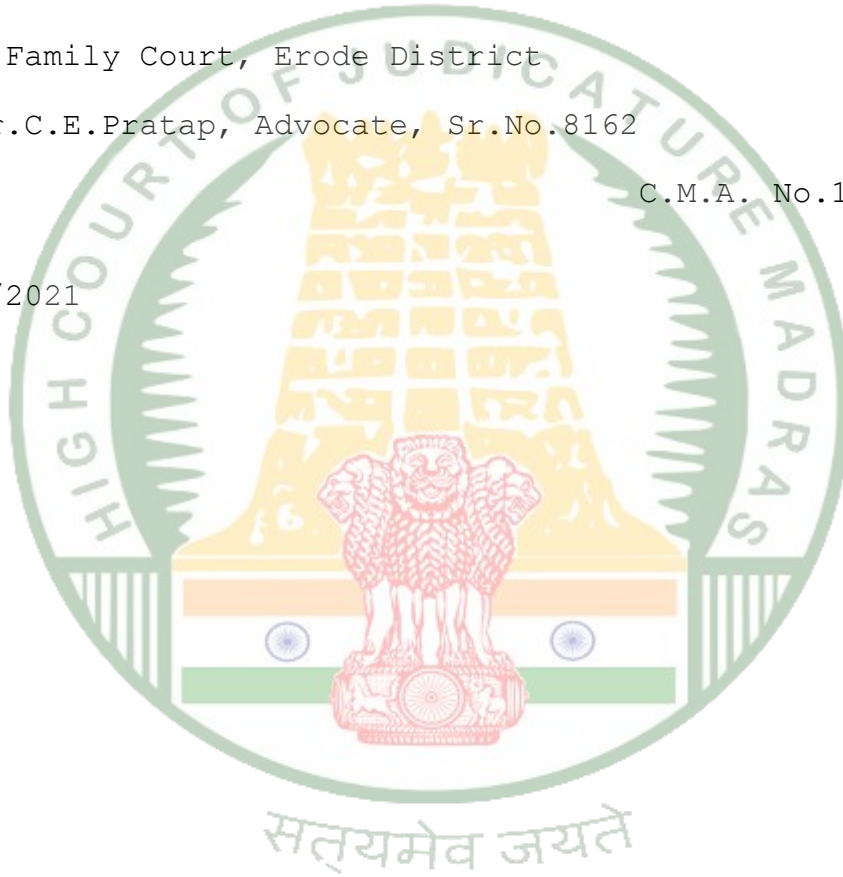
Asr

To

The Judge, Family Court, Erode District
+1cc to Mr.C.E.Pratap, Advocate, Sr.No.8162

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BS (CO)
KKV/17/03/2021



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