



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.01.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL**

C.M.A(MD)No.1434 of 2010

R.Aravindan ... Appellant/Petitioner

Vs.

R.Rajavaani ... Respondent/Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, 1984 against the fair and decreetal order, dated 21.09.2007 passed in H.M.O.P.No.5 of 2003 on the file of the Family Court, Madurai.

For Appellant : Mr.S.Palanivelayutham
For Respondent : Mr.C.Arul Vadivel @ Sekar

JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)**

This Civil Miscellaneous Appeal is directed against the Judgment, dated 21.09.2007 passed in H.M.O.P.No.5 of 2003, filed by the husband / appellant for divorce, which has been rejected by the Family Court, Madurai.

2.The said H.M.O.P was filed in the year 2003 and the Civil Miscellaneous Appeal is pending from 2010.

3.When the matter is taken up for hearing today, the learned counsel appearing for the respondent, on instructions, submitted that after the dismissal of the H.M.O.P and filing of the appeal, the appellant and respondent have united and hence, nothing survives for adjudication in this Civil Miscellaneous Appeal.

4.The learned counsel appearing for the appellant is also unable to get instructions from his client.



5.Recording the statement made by the learned counsel for the respondent, this Civil Miscellaneous Appeal is closed. However, it is open to the appellant to re-open the appeal in the event what was stated by the respondent is not true. No costs.

WEB COPY

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ps

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Judge,
Family Court,
Madurai.

2.The V.R Section (Records), (2 copies)
Madurai Bench of Madras High Court,
Madurai.

C.M.A (MD) No.1434 of 2010
21.01.2021

VB (09.02.2021) 2P 4C