



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2021

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

C.M.S.A(MD)No.28 of 2010

S.Ravindran

... Appellant/Appellant/Petitioner

Vs.

R.Tamilarasi

...Respondent/Respondent/ Respondent

Prayer : Civil Miscellaneous Second Appeal filed under Section 28 of the Hindu Marriage Act read with Section 100 of Civil Procedure Code praying this Court to set aside the Judgment and Decree made in C.M.A.No.05 of 2009, dated 08.01.2010, on the file of the District Judge, Karur, confirming the fair and decreetal order made in H.M.O.P.No.19 of 2006, dated 30.03.2007, on the file of the Subordinate Judge, Karur.

For Appellant : No Appearance

For Respondent : R.Ganesh Babu

JUDGMENT

When the matter was listed on 11.08.2021 there was no representation for the appellant and the matter was directed to be posted on 24.08.2021. On 24.08.2021, there was no representation for the appellant and thereby, this Court directed to post the matter "for dismissal" on 31.08.2021. On 31.08.2021, at request of the learned counsel on either side, the matter was directed to be listed on 07.09.2021 and on 07.09.2021, the counsel for the appellant had taken time. When the matter was posted on 26.10.2021, there was no representation for the appellant and thereby, this Court directed the matter to be listed today (i.e. on 28.10.2021).

2.Even today, there is no representation for the appellant. The Civil Miscellaneous Second appeal is of the year 2011. When the matter is taken up for hearing, there is no representation on behalf of the appellant and the same clearly indicates that the appellant has not shown any interest to prosecute the appeal any further. Hence, this Civil Miscellaneous Second Appeal is dismissed for non-prosecution. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.The District Judge,
Karur.

2.The Subordinate Judge,
Karur.

3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.S.A(MD)No.28 of 2010
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MGJ/PM(15.11.2021) 2P 5C