



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL
C.M.A(MD)NO.894 of 2017

and
C.M.P(MD)No.9575 of 2017

S.R.Muthuramadurai :Petitioner/Respondent/Petitioner
.vs.
S.Sumathi :Respondent/Petitioner/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act praying this Court to call for the records relating to the decretal order made in I.A.No.83 of 2015 in H.M.O.P.No.139 of 2014, dated 04.11.2015, on the file of Family Court, Sivagangai and to set aside the same as illegal.

For Appellant :Mr.B.A.Muruganantham
For Respondent :Mr.M.Vivekanandan

JUDGMENT

[Judgment of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

This Civil Miscellaneous Appeal is directed against the order made in I.A.No.83 of 2015 in H.M.O.P.No.139 of 2014, dated 04.11.2015, on the file of Family Court, Sivagangai, wherein, the wife had sought for interim maintenance in the Petition filed by the husband for divorce.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.It is now stated that the main H.M.O.P.No.139 of 2014 itself was disposed of on 05.01.2017 and an appeal has been filed against the above-said order in C.M.A(MD)No.182 of 2017 before this Court. Therefore, this Court is of the view that nothing survives for consideration in this appeal and as such, the Civil Miscellaneous has become infructuous.

4.In view of the above, the Civil Miscellaneous Appeal is dismissed as infructuous. No costs. Consequently, connected Civil Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar (T&P)

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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,
Sivagangai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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