



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2022

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CMP.Nos.11417 and 11418 of 2018
and
C.M.A.SR.Nos. 32760 and 32758 of 2018

R.Venkatesan ... Petitioner in both the petitions/
Appellant in both CMAs.

Vs.

K.P.Kavinilavu ...Respondent in both the petitions/
Respondent in both the CMAs.

Prayer in CMP.Nos.11417 and 11418 of 2018: These petitions have been filed under Section 19(3) Family Court Act to condone the delay of 45 days in filing the appeals.

Prayer in C.M.A.SR.Nos. 32760 and 32758 of 2018: Civil Miscellaneous Appeals filed under Section 19 of the Family Courts Act, praying that the Hon'ble Court may be pleased to set aside the orders in FCOP.Nos.485 of 2013 and 13 of 2015, dated 12.01.2018 passed by the learned Family Court Judge, Salem.

For Appellant in both CMAs : Mr.R.Thamaraiselvan

For respondent in both CMAs : Mr.R.Nalliyappan

C O M M O N J U D G M E N T

[Judgment of the Court was delivered K.KALYANASUNDARAM, J]

These petitions have been filed seeking condonation of delay of 45 days in filing appeals against the common order passed in FCOP.No.485 of 2013 and FCOP.No.13 of 2015.



2. It appears that the respondent, who is the wife of the petitioner, filed FCOP.No.485 of 2013, seeking divorce. The petitioner filed FCOP.No.13 of 2015 for restitution of conjugal rights. The Family Court, Salem while dismissing FCOP.No.13 of 2015, granted divorce in FCOP.No.485 of 2013.

3. The learned counsel appearing for the parties Mr.R.Thamaraiselvan and Mr.R.Nalliyappan, would state that after the order passed by the Family Court, both the parties have contracted second marriage and they are living with their respective families.

4. In the light of the submissions made by the learned counsels, we are of the considered opinion that nothing survives in these appeals. Hence, the condone delay petitions are dismissed. Consequently, the appeals are rejected. No costs.

Sd/-

Assistant Registrar(CCC)

// True Copy //

Sub Assistant Registrar

pvs

To

1. The Judge, Family Court, Salem

Copy to:

The Section Officer,

VR Section High Court, Madras.

CMP.Nos.11417 and 11418 of 2018
and

C.M.A.SR.Nos. 32760 and 32758 of 2018

SK(CO)

CB(25/03/2022)