



C.M.A.(MD)No.1194 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26.09.2022

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THE HONOURABLE MRS. JUSTICE R. THARANI

C.M.A.(MD)No.1194 of 2012

Mary Babu

.. Appellant / Petitioner

Vs.

Maria Lawrence

.. Respondent / Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 55 of Indian Divorce Act, to call for the records in I.D.O.P.No.54 of 2006, on the file of the District Judge, Kanyakumari at Nagercoil, dated 20.10.2009.

For Appellant : Mr.A.Balakrishnan

For Respondent : Mr.D.Saravanan

JUDGMENT

This Civil Miscellaneous Appeal has been filed against the order passed in I.D.O.P.No.54 of 2006, on the file of the District Judge, Kanyakumari at Nagercoil, dated 20.10.2009.. The appellant herein is the petitioner and the respondent herein is the respondent in the original Petition.



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2. Both sides present.

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3. On the side of the respondent, it is stated that the respondent is dead.

Death certificate is also filed.

4. On the side of the appellant, it is stated that alimony for the wife was deposited before the lower Court and prayed for permission to withdraw the same.

5. The request of the appellant's counsel is reasonable. In view of the same, the appellant / wife is permitted to withdraw the amount deposited by the respondent / husband.

6. Since the respondent-husband is dead, nothing survives for further adjudication. Hence, this Appeal is dismissed as infructuous. No costs.

26.09.2022

Index : Yes/No

Internet : Yes/No

Ls

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.



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To

- 1.The District Judge,
Kanyakumari at Nagercoil,
- 2.The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



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R. THARANI, J.

Ls

Judgment made in
C.M.A.(MD)No.1194 of 2012

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