



C.M.A.(MD)No.1011 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

CORAM

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**
and
THE HONOURABLE MR.JUSTICE **J.SATHYA NARAYANA PRASAD**

C.M.A.(MD) No.1011 of 2022
and C.M.P.(MD) No.10030 of 2022

V.P.Hariprakash

... Appellant

Vs.

A.T.Sundarambigai

... Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act, 1984, praying to set aside the order dated 23.09.2022, passed in I.A.No.923 of 2022 in H.M.O.P.No.1129 of 2018 passed by the Family Court, Madurai.

For Appellant : Mr.N.Sathish Babu

For Respondent : Mr.D.Nallathambi

* * *

J U D G M E N T

(Judgment of the Court was delivered by **R.MAHADEVAN, J.**)

The Civil Miscellaneous Appeal has been filed by the appellant/husband, challenging the order dated 23.09.2022, passed in I.A.No.923 of 2022 in H.M.O.P.No.1129 of 2018, passed by



C.M.A.(MD)No.1011 of 2022

the Family Court, Madurai, directing the appellant herein to pay 50% of arrears amount to the respondent herein on or before 30.10.2022 and to pay the balance 50% of arrears amount on or before 30.11.2022, towards the arrears of monthly maintenance and litigation expenses, failing which, the entire proceedings would be struck off.

2. Heard Mr.N.Sathish Babu, learned counsel for the appellant and Mr.D.Nallathambi, learned counsel for the respondent.

3. Today, when the matter was taken up for hearing, learned counsel for the appellant submitted that the appellant has paid 50% of the arrears amount to the respondent and the appellant undertakes to pay the balance 50% of the arrears amount in two consecutive monthly instalments i.e., on 01.01.2023 and 01.02.2023 and continue to pay the monthly maintenance as directed by the Family Court and he also sought a direction to the Family Court for early disposal of H.M.O.P.No.1129 of 2018, for which, the learned counsel for respondent has no objection.



C.M.A.(MD)No.1011 of 2022

4. Recording the said submissions of the learned counsel for the appellant, this Civil Miscellaneous Appeal stands disposed of with a direction to the appellant to pay the balance 50% of the arrears amount to the respondent in two consecutive monthly instalments i.e., on 01.01.2023 and 01.02.2023 and continue to pay the monthly maintenance as directed by the Family Court and with a further direction to the Family Court, Madurai, to dispose of H.M.O.P.No.1129 of 2018 on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this judgment. No costs. Consequently, connected Miscellaneous Petition is closed.

[R.M.D., J.] [J.S.N.P., J.]
01.12.2022

Internet : Yes / No
Index : Yes / No
sj

Copy to

The Judge,
Family Court,
Madurai.



WEB COPY



C.M.A.(MD)No.1011 of 2022

R.MAHADEVAN, J.

and

J.SATHYA NARAYANA PRASAD, J.

sj

C.M.A.(MD) No.1011 of 2022

01.12.2022