



C.M.A.No.1982 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.06.2023

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MR. JUSTICE D.BHARATHACHAKRAVARTHY**

C.M.A.No.1982 of 2012

L.Mohana @ Ruth Monisha ... Appellant

Vs.

R.Saravanan ...Respondent

Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act, against the Order and Decretal Order dated 07.01.2012 on the file of the 1st Additional Judge, Family court, Chennai.

For Appellant : Mrs.S.Alagammal

For Respondent : Mr.Syed Nizamuddin Ahmad Hussaini

J U D G M E N T

This Civil Miscellaneous Appeal is filed by the wife aggrieved by the order of the I Additional Family Court at Chennai dated 07.01.2012 in O.P.No.1652/2006, in and by which, the petition for divorce filed by the respondent/husband on the ground of cruelty was allowed by the trial



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Court.

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2. The brief facts are that the parties got married on 16.09.2004 and one daughter was born on 27.08.2005 and thereafter, since there were marital discord between the parties, they started living separately and the O.P. came to be filed in the year 2006. When the appeal filed in C.M.A.No.1982/2012, is taken up for final hearing, it now transpires that after the order of divorce, the respondent/ husband got remarried and even got two children of the said marriage.

3. Under these circumstances, even though the learned counsel for the respondent/wife submitted that still she may have some ground to canvass the matter, practically, the chances of reunion is lost. Therefore, there is no point in further adjudicating the matter and it is also pertinent to state that there was also no order of stay granted pending the appeal. In that view of the matter, the Civil Miscellaneous Appeal is dismissed, by confirming the order of the I Additional Family Court, Chennai, dated 07.01.2012 in O.P.No.1652/2006. No costs.

(J.N.B,J.) (D.B.C, J.)
28.06.2023

Index : Yes / No
Internet : Yes
vsi



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To

The I Additional Family Court,
Chennai,



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J. NISHA BANU, J.
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