



THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

C.M.A.No.2054 of 2021

and

C.M.P.Nos.11067 & 17857 of 2021 and 25318 of 2023

T.J.Logheswaran

...Appellant

Vs.

1.K.Sandheya

2.Minor Jaishwinsagar

...Respondents

Prayer: Civil Miscellaneous Appeals filed under Section 19 of the Family Courts Act, 1984 against the order dated 23.03.2021 made in I.A.No.883 of 2016 in O.P.No.4729 of 2015 on the file of the II Additional Family Court, Chennai.

For Appellant : Mr.J.Ram

For Respondents : Mr.M.Dhandapani



J U D G M E N T

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

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The appeal is filed against the order granting interim maintenance.

2. The learned counsel for the appellant seeks to withdraw the appeal on the ground that the main Original Petition in OP.No.4729 of 2015 on the file of the II Additional Family Court, Chennai has been disposed of on 07.12.2021.

3. The learned counsel for the respondents would submit that the appellant had not obeyed the order directing payment of interim maintenance.

4. We do not think we can keep this appeal pending and arm twist the appellant to pay the interim maintenance, since it is open to the respondents to take appropriate proceedings before the Family Court for recovery of interim maintenance granted.



5. Hence, the appeal is dismissed as withdrawn. The stay granted will stand vacated. No costs. Consequently, the connected miscellaneous petitions are closed.

(R.S.M.,J.) (N.S.,J.)
23.11.2023

dsa
Index :No
Internet :Yes
Neutral Citation :No
Speaking order

To

The II Additional Family Court,
Chennai.



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R.SUBRAMANIAN, J.
and
N.SENTHILKUMAR, J.

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