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C.M.A.Nos.82 and 83 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2023

CORAM :

THE HON'BLE MR. JUSTICE P.VELMURUGAN

C.M.A.Nos. 82 and 83 of 2018

Kanimozhi

... Appellants
in both C.M.As

Vs.

R.M.Perumal

... Respondent
in both C.M.As

Civil Miscellaneous Appeals filed under Section 47 of the Guardian and Wards Act to set aside the common order and decreetal order as made in G.O.P.Nos.80 of 2013 and 202 of 2013, respectively dated 14.09.2017 on the file of the Principal District Judge, Cuddalore, Cudalore District.

For Appellant : Mr.V.Balamurugane
in both C.M.As

For Respondent : Not ready-in-notice
in both C.M.As



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COMMON JUDGMENT

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Challenging the order passed in G.O.P.Nos.80 of 2013 and 202 of 2013, respectively dated 14.09.2017 by the learned Principal District Judge, Cuddalore, Cuddalore District, the appellant has filed these present appeals.

2. These appeals were filed in the year 2018. Thereafter, they came up for hearing on several occasions. On 03.03.2022, this Court ordered notice through Court and privately returnable by 22.03.2022. When the matter was taken up for hearing on 29.03.2022, the learned counsel for the appellant represented that he has no instructions from the appellant and that the matter was directed to be listed in the first week of June, 2022. Today, when the appeals are taken up for hearing, the learned counsel for the appellant sought short accommodation to pay batta and to serve notice.

3. This Court ordered notice through Court and privately on 03.03.2022 and no steps have been taken to serve notice till date. It is seen that the minor child, who is aged about 13 years is under the custody of the



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respondent/paternal grandfather. These appeals are pending from the year 2018 and the appellant/mother has not taken any steps to serve notice and proceed with the case further.

4. Under these circumstances, this Court finds that the appellant has not interested in proceeding with the case and get back the child and hence, these Civil Miscellaneous Appeals are dismissed for default. There shall be no order as to costs.

22.09.2023

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1.The Principal District Judge,
Cuddalore, Cuddalore District.

2.The Section Officer,
V.R.Section,
High Court, Madras.

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P.VELMURUGAN, J.

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