



C.M.S.A.(MD)No.1 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

C.M.S.A.(MD)No.1 of 2019

and

C.M.P.(MD)No.185 of 2019

Kalaiselvi

... Appellant

Vs.

Manikandan

... Respondent

PRAYER: Civil Miscellaneous Second Appeal filed under Section 28 of Hindu Marriage Act read with Section 100 of C.P.C, to set aside the fair and decreetal order dated 19.09.2018 passed in C.M.A.No.07 of 2018 on the file of Additional District Court (Fast Track Court), Palani reversing the fair and decreetal order dated 22.09.2017 passed in H.M.O.P.No.31 of 2013 on the file of Sub-Court, Palani.

For Appellant : Mr.M.P.Senthil

For Respondent : No appearance



C.M.S.A.(MD)No.1 of 2019

WEB COPY

JUDGMENT

This Civil Miscellaneous Second Appeal is filed to set aside the fair and decretal order dated 19.09.2018 passed in C.M.A.No.07 of 2018 on the file of Additional District Court (Fast Track Court), Palani reversing the fair and decretal order dated 22.09.2017 passed in H.M.O.P.No.31 of 2013 on the file of Sub-Court, Palani.

2. Heard the learned Counsel appearing for the appellant and perused the materials available on record.

3. It is brought to the knowledge of this Court that H.M.O.P.No.31 of 2013 on the file of Sub Court, Palani was dismissed on 22.09.2017. The appeal has been filed against the same in C.M.A.No.07 of 2018 on the file of Additional District Court (Fast Track Court), Palani which was allowed on 19.09.2018, against which the present Civil Miscellaneous Second Appeal is filed.



C.M.S.A.(MD)No.1 of 2019

4. The learned Counsel appearing for the appellant has submitted that the appellant as well as the respondent had remarried another person.

In view of the same, this Civil Miscellaneous Second Appeal is liable to be closed. The said submission is recorded.

5. Therefore, nothing survives for adjudication. Hence, this Civil Miscellaneous Second Appeal stands disposed of. There shall be no order as to costs. Consequently, connected civil miscellaneous petition is closed.

07.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml



C.M.S.A.(MD)No.1 of 2019

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1.The Sub Court,
Palani.

2.The Additional District Court,
(Fast Track Court),
Palani.

Copy to

The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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C.M.S.A.(MD)No.1 of 2019

L.VICTORIA GOWRI, J.,

Sml

C.M.S.A.(MD)No.1 of 2019

07.12.2023