



C.M.S.A.(MD)No.14 of 2019

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2023

CORAM:

THE HON'BLE MR.JUSTICE **K.MURALI SHANKAR**

C.M.S.A.(MD)No.14 of 2019

C.Mari @ Vijayabharathi

... Appellant/
Appellant/
Petitioner

Vs.

R.Angaleeswari @ Raji

... Respondent/
Respondent/
Respondent

Prayer : This Civil Miscellaneous Second Appeal filed under Section 28 of Hindu Marriage Act r/w. Section 100 C.P.C., to set aside the judgment and decree dated 09.11.2018 made in HMCMA.No.5 of 2018 on the file of learned V Additional District Judge, Madurai, confirming the judgment and decree dated 21.11.2017 made in HMOP.No.366 of 2017 on the file of learned Subordinate Judge, Thirumangalam and allow this second appeal on the file of this Court.

For Appellant : Mr.P.Mahendran

For Respondent : Mr.T.R.Jeyapalam



C.M.S.A. (MD) No. 14 of 2019

WEB COPY

JUDGMENT

The Civil Miscellaneous Second Appeal is directed against the order passed in H.M.C.M.A.No.5 of 2018 dated 09.11.2018 on the file of the V Additional District Court (FAC), Madurai, dismissing the H.M.O.P.No.366 of 2017 dated 21.11.2017, dismissing the divorce petition.

2. When the matter is taken up for hearing today, the learned counsel appearing for the appellant would submit that subsequent to the above proceedings, the appellant and the respondent have filed a petition under Section 13(B) of Hindu Marriage Act for divorce by mutual consent and the learned Subordinate Judge, Thirumangalam, vide order dated 19.06.2020, has granted divorce by dissolving the marriage solemnized between the appellant and the respondent on 07.02.2011 and as such, nothing survives for further adjudication.

3. Recording the same, this Appeal is dismissed.

27.09.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
csm



C.M.S.A. (MD) No. 14 of 2019

To
WEB COPY

1. The V Additional District Court,
Madurai.
2. The Sub Court,
Thirumangalam.
3. The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.M.S.A.(MD)No.14 of 2019

K.MURALI SHANKAR,J.

csn

Judgment made in
C.M.S.A.(MD)No.14 of 2019

Dated : 27.09.2023