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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Thirteenth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CMP(MD). Nos.6177 and 6178 of 2021
in
C.M.S.A.(MD)Nos.17 and 18 of 2010

Alagarsamy

... Petitioner/ Appellant in both the petitions

Vs

Rajarathinam

... Respondents/ Respondents in both the petitions.

Common Prayer :-

Civil Miscellaneous Petitions filed Under Order 41 Rule 9 of C.P.C to set aside the order of dismissal for default passed on 23.10.2019 in C.M.S.A.(MD).Nos.17 and 18 of 2010 and restore the same to pass such other further order or orders as this Court.

Common Prayer in C.M.S.A(MD)Nos.17 and 18 of 2010:-

These Civil Miscellaneous Second Appeals filed under Section 28 of the Hindu Marriage Act r/w Section 100 of Civil Procedure Code, against the judgment and decree dated 15.02.2010 made in C.M.A.Nos.53 and 54 of 2008 on the file of Fast Track Court/Additional District Judge, Dindigul, confirming the judgment and decree dated 01.07.2008 made in H.M.O.P.Nos.85 and 78 2001 on the file of Principal Subordinate Court, Dindigul.



ORDER:- These Petitions coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. R.G. Shankar Ganesh, Advocate for the Petitioner in both the petitions, and of Mr. S.P. SamuelRaj, Advocate for the respondent in both the petitions, this Court made the following order:

“Today, when the matter is taken up for hearing the learned Counsel appearing for the petitioner has submitted that the sole petitioner died. In view of the same, nothing survives for adjudication. Hence, these Civil Miscellaneous Petitions are closed.”

Sd/-

Assistant Registrar(CS III)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)

TO

1. THE FAST TRACK COURT/ADDITIONAL DISTRICT JUDGE, DINDIGUL
2. THE PRINCIPAL SUBORDINATE JUDGE, DINDIGUL.

Copy to:

- 1 The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai
- 2 THE SECTION OFFICER,
VR SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI. (2 Copies)



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ORDER DATED : 13/12/2023

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ORDER

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CMP(MD). Nos.6177 and 6178 of 2021
in
C.M.S.A.(MD)Nos.17 and 18 of 2010

Giving direction and etc.
as stated within.

MK/27.12.2023 3P 6C

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