



C.M.A.No.1375 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2024

CORAM

**THE HON'BLE MRS. JUSTICE J.NISHA BANU
AND
THE HON'BLE MR. JUSTICE P.DHANABAL**

**C.M.A.No.1375 of 2022
and CMP.No.14605 of 2022**

K.Kalaithamizhan

... Appellant

Vs.

R.Rubakayalvizhi

...Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act against the judgment and decree passed in H.M.O.P.No.156 of 2020 dated 30.11.2021 on the file of the Family Court, Cuddalore.

For Appellant : No appearance
For Respondent : Mr.Thiagarajan

J U D G M E N T

(Judgment of the Court was made by J.NISHA BANU,J.)

When the Civil Miscellaneous Appeal was taken up for hearing on 08.07.2024, there was no representation for the appellant. Therefore, it was posted on 15.07.2018. When the matter was taken up on



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15.07.2024, once again there is no representation for the appellant and thereafter, the matter was posted under the caption 'for dismissal' on 16.07.2024.

2. Again when the Appeal was taken up for hearing on 16.07.2024, learned counsel for the appellant appeared and stated that he was not able to contact the appellant and hence withdrawn this appeal by filing a memo to that effect and thereafter this Court had directed the Registry to print the name of the appellant in the cause list and posted the matter on 22.07.2024.

3. Today, when the matter is called, though the name of the appellant has been printed in the cause list, the appellant is not present before this Court. Therefore, this Court has no other option except to dismiss the Civil Miscellaneous Appeal for non-prosecution. Accordingly, the Civil Miscellaneous Appeal is dismissed for non-prosecution. No costs. Consequently connected miscellaneous petition is closed.

(J.N.B,J.) (P.D.B., J.)
22.07.2024

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To
The Family Court, Cuddalore.



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J. NISHA BANU, J.
and
P.DHANABAL,J.

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