

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

and

THE HONOURABLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.A.No.784 of 2014

and

Crl.RC.No.1175 of 2014

and

M.P.No.1 of 2014

in

Crl.R.C.No.1175 of 2014

Srinivasan

S/o.Sambandam

... Appellant

in CMA No.784/2014

Vs.

1. Uma Gowri

D/o.Jayaram Gurukkal

2. S.Jayaram Gurukkal

S/o.Subramaniya Gurukkal

.. Respondents

in CMA No.784/2014

Srinivasan

S/o.Sambandam

... Petitioner

in Crl.Rc.No.1175/2014

Vs.

Uma Gowri

W/o.Srinivasan

.. Respondent

in Crl.Rc.No.1175/2014

Civil Miscellaneous Appeal No.784 of 2014 filed under Section 19 of the Family Courts Act, 1984 praying to set aside the judgment and decree dated 10.01.2014 made in M.O.P.No.54 of 2011 on the file of the Family Court at Puducherry.

Criminal Revision filed under Section 397 read with 401 of Cr.Pc.praying to set aside the judgment and decree dated 14.10.2014 made in M.C.No.14 of 2013 on the file of the Chief Judicial Magistrate Court, Cuddalore.

For Appellant
in both CMA and Crl.RC : Mr.B.Balavijayan

COMMON JUDGMENT

[Judgment of the Court was made by M.SUNDAR, J.,]

Captioned 'Civil Miscellaneous Appeal' [hereinafter 'CMA' for the sake of convenience and clarity] and 'Criminal Revision Case' [hereinafter 'Crl.RC' for the sake of convenience and clarity] arise out of the same set of facts and have been tagged together in and by an order dated 05.01.2015 made by the then Hon'ble Master of Roster on the Administrative Side.

2. Today, the captioned CMA, captioned Crl.RC and captioned

'Miscellaneous Petition' [hereinafter 'MP' for the sake of convenience and clarity] are listed under the cause list caption 'FOR WITHDRAWAL' at the instance of learned counsel on record for appellant in the captioned CMA, petitioner in captioned CrI.RC and captioned MP. Learned counsel on record Mr.B.Balavijayan, has circulated a letter dated 13.02.2024 to the Registry in this regard together with a communication from his client and scanned reproduction of the same are as follows :

B. BALAJIJAYAN, LL.M., B.B.A., PGD Foreign Law
Advocate - High Court

Chamber :
No. 16, Law Chambers,
High Court Buildings,
Chennai - 600 004.
Mobile: 94421 34788
Email: bbalajijayan@yahoo.co.in

To
The Registrar Judicial,
High Court of Madras,
Chennai - 01.

Date: 13.02.2014

Sub: Seeking to Withdrawal of CMA No. 784 / 2014 and Cr.R.C.No. 1173 / 2014.

Respected Sir,

My Client Srimathi S/o. Senthil Kumar, has filed the above CMA No. 784 / 2014, aggrieved against the order passed in MDP No. 34 / 2011. My client had also filed a Cr.R.C.No. 1173 / 2014, aggrieved against the order passed in Maintenance Petition, (SM) No. 784 / 2014 and Cr.R.C.No. 1173 / 2014, lodged together and was lastly listed on 03.01.2014. It was informed by my client that the matter has been settled between the parties, and further my client and his wife have joined together and living as one family. Therefore the above CMA and Cr.R.C. filed by my client should be withdrawn. To that effect on 07.02.2014, my client has written a letter requesting to withdraw the cases pending before this Honorable Court. The said original letter is enclosed herewith.

Therefore it is humbly requested to let the CMA No. 784 / 2014 and Cr.R.C.No. 1173 / 2014 before this Honorable Court for Withdrawal.

Enclo:
Original letter from client
dt. 07-02-2014.

For: To
A/c (Adv)
S/o
Senthil Kumar
S/o (Adv)

Publicity Office - No. 15, Panthasamudram Rd Street, Chennai, Pondicherry.
Chennai Office - No. 16, 16/2, Adva Nagar Rd II, 1st Street, Velacherry, Chennai-600 004.
* All Correspondence to this address only.

തിരുവിതാംകൂർ
 മുൻസിഫ് കോടതി
 76, കോടതി റോഡ്
 തിരുവിതാംകൂർ-1

തിരുവിതാംകൂർ
 മുൻസിഫ് കോടതി, B. നാലായിരത്തു മുൻസിഫ് കോടതി,
 തിരുവിതാംകൂർ മുൻസിഫ് കോടതി, തിരുവിതാംകൂർ
 തിരുവിതാംകൂർ

തിരുവിതാംകൂർ
 തിരുവിതാംകൂർ തിരുവിതാംകൂർ തിരുവിതാംകൂർ
 3. തിരുവിതാംകൂർ തിരുവിതാംകൂർ തിരുവിതാംകൂർ
 3. തിരുവിതാംകൂർ തിരുവിതാംകൂർ തിരുവിതാംകൂർ
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 തിരുവിതാംകൂർ തിരുവിതാംകൂർ തിരുവിതാംകൂർ

4 മുൻസിഫ് കോടതി

7.02.2024

തിരുവിതാംകൂർ
 തിരുവിതാംകൂർ
 S. Srinivas
 (5 മുൻസിഫ് കോടതി)

3. Learned counsel on record for appellant in the captioned CMA, petitioner in captioned Crl.Rc and captioned MP has made endorsements in the case file and scanned reproduction of the same are as follows:

Endorsement in C.M.A.No.784 of 2014:

Sub.
The Appellant may be
Permitted to withdraw
the above C.M.A.
19/02/2024
Counsel for the Appellant.

Endorsement in Crl.Rc.No.1175 of 2014:

Sub
The Revision Petitioner
May be permitted to
withdraw the Crl. R.C.
19/02/2024
Counsel for the
Revision Petitioner

Endorsement in M.P.No.1 of 2014 in Crl.Rc.No.1175 of 2014:



4. Learned counsel on record for appellant submits that parties in marital discord have reinvented the wheel and they have now resumed their 'happily married' era. In other words, there is a happy ending to the litigation is learned counsel's say.

5. Be that as it may, in the light of the narrative thus far, captioned CMA, captioned Crl.Rc and captioned MP are disposed of as closed / withdrawn. There shall be no order as to costs.

(M.S.,J.)

(K.G.T.,J.)

19.02.2024

Index : Yes / No

Speaking / Non-speaking

Neutral Citation : Yes / No

mk

To

1. The District Judge,
Family Court,
Puducherry.
2. The Chief Judicial Magistrate
Chief Judicial Magistrate Court,
Cuddalore.
3. The Section Officer
V.R.Section
High Court, Madras.

C.M.A.No.784 of 2014

M.SUNDAR, J.,
and
K.GOVINDARAJAN THILAKAVADI, J.,

mk

C.M.A.No.784 of 2014
and
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