



WEB COPY



CMA.No.2845 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.07.2024

CORAM

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

&

THE HONOURABLE MR.JUSTICE P.DHANABAL

C.M.A.No.2845 of 2019

&

CMP.No.14832 of 2019

V. Devan

...

Appellant

Vs.

Indhumathi

...

Respondent

Civil Miscellaneous Appeal filed under section 19 of Family Courts

Act praying to set aside the decree and judgment dated 31.05.2019 passed in O.P.No.1786 of 2015 on the file of IV Additional Family Court Judge, Chennai

For Appellant : No appearance

For Respondent : M/s.Manjula Chavan

JUDGMENT

[Order of the Court was made by J.NISHA BANU, J.]

Counsel for the respondent is present. On 13.12.2022, when the matter was called, the learned counsel for the appellant/husband submitted



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that the appellant is no more and having regard to the same, the learned counsel for the respondent/wife sought time to get instructions and the matter was adjourned to 21.12.2022. Thereafter, on 25.07.2024, when the matter was called, there was no representation for both sides. Hence, the matter was posted under the caption 'for dismissal on 27.07.2024. Even today, when the matter is called, appellant's counsel is not present which shows that he has not taken any steps to prosecute the appeal by producing the death certificate of the appellant. Therefore, this Civil Miscellaneous Appeal is dismissed for non prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

[J.N.B.,J.] [P.D.B.,J.]
26.07.2024

Index: yes/no
Internet:yes/no
msr
To

The IV Addl. Family Court, Chennai.



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**J. NISHA BANU, J.
&
P. DHANABAL, J.**

msr

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