



C.M.A.No.1622 of 2

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

C.M.A.No.1622 of 2019
and
Crl.R.C.No.1091 of 2018
and
Crl.M.P.No.12719 of 2018

C.M.A.No.1622 of 2019

Rajesh

...Appellant

Vs.

D.Saranya

...Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Courts Act, against the fair and decreetal order dated 26.04.2018 passed in HMOP.No.980 of 2013 on the file of the Additional Family Court, Coimbatore.

For Appellant : Mr.K.Govi Ganesan

For Respondent : Mr.B.Gopalakrishnan for Mr.S.Gunalan



Crl.R.C.No.1091 of 2018

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Rajesh

...Petitioner

Vs.

D.Saranya

...Respondent

Prayer: Civil Revision Case filed under Section 397 r/w. 401 of Criminal Procedure Code, against the order dated 26.04.2018 passed in M.C.No.126 of 2013 on the file of the Additional Family Court, Coimbatore.

For Petitioner : Mr.K.Govi Ganesan

For Respondent : Mr.B.Gopalakrishnan for Mr.S.Gunalan

COMMON JUDGMENT

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

Mr.K.Govi Ganesan, learned counsel appearing for the appellant would submit that even if he is to succeed in this appeal, it may not be useful to him, since according to him, the respondent / wife has married again. The said statement regarding marriage is totally denied by the learned counsel appearing for the respondent / wife.



2.Mr.K.Govi Ganesan would however, submit that the appeal may be dismissed with liberty to take appropriate proceedings for divorce on the ground of re-marriage and also for modification of the order made under Section 125 by including Section 127 of Cr.P.C.

3.Recording the statement of the learned counsel for the appellant and reserving liberty, both these proceedings namely, C.M.A.No.1622 of 2019 and CrI.R.C.No.1091 of 2018 are dismissed. We shall not be taken to have pronounced on the status of the parties. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (R.S.V., J.)
12.04.2024

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Internet:Yes

Index:No

Speaking

Nuetral Citation :No



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C.M.A.No.1622 of 2

R.SUBRAMANIAN, J.
and
R.SAKTHIVEL, J.

KKN

To:-

The Additional Family Court,
Coimbatore.

C.M.A.No.1622 of 2019
and
Crl.R.C.No.1091 of 2018
and
Crl.M.P.No.12719 of 2018

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