



C.M.A.(MD.No.68 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

CORAM

JUSTICE N. SESHASAYEE

and

JUSTICE P.VADAMALAI

C.M.A.(MD) No.68 of 2018

and

C.M.P.(MD).No.1087 of 2018

Manikandan

... Appellant / Respondent/Petitioner
Vs.

Puttarathi @ Kala

... Respondent / Petitioner / Respondent

Prayer: Appeal filed under Section 19 (1) of Family Court Act to set aside the Judgment and Decree made in I.A.No.388 of 2017 in H.M.O.P.No.160 of 2017 by the Family Court, Tirunelveli, dated 30.11.2017.



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For Appellant : Mr.P.Banuprasad

For Respondent : Mr.H.Arumugam

JUDGMENT

(Judgment of the Court was delivered by N.Seshasayee, J.)

This Appeal is preferred challenging an order of interim maintenance of Rs.5,000/- (Rupees Five Thousand only) per month allowed by the trial Court in I.A.No.388 of 2017 in H.M.O.P.No.160 of 2017 on the file of the Family Court, Tirunelveli.

2. The appellant has not paid interim maintenance so far.

3. On 09.02.2018, this Court has passed conditional order of stay in C.M.P.(MD).No.1087 of 2018 directing the appellant to pay monthly maintenance of Rs.3,000/- (Rupees Three Thousand only) per month. The above said conditional order is not said to have complied with.



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4. The learned counsel appearing for the appellant informs the Court that he is not getting any instructions from his client.

5. In view of the fact that the conditional order of stay granted by this Court in C.M.P.(MD).No.1087 of 2018 is not complied with, this Court does not consider it necessary to allow this Case to the file of this Court.

6. In view of the above, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(N.S.S., J.) (P.V.M., J.)
05.04.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

TSG

To

1.The Family Court, Tirunelveli.

2.The Record Keeper,

Vernacular Section,

Madurai Bench of Madras High Court, Madurai.



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N. SESHASAYEE, J.
and
P.VADAMALAI, J.

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