



CMP(MD) No.15183 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Ninth day of August Two Thousand and Twenty Four
PRESENT

The Hon`ble Mr.Justice P.VELMURUGAN
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN
C.M.P.(MD)Nos.15183, 15184, 15186, 4804 of 2023
IN
CMA(MD) No.1027 of 2017

RAMASAMY

... PETITIONER/ APPELLANT
IN ALL CMP's

Vs

DHAVAMANI (DIED)
REP. BY LR's

... SOLE RESPONDENT/RESPONDENT

1.PANDI MEENAL

2 DHANALAKSHMI

... RESPONDENTS/PROPOSED RESPONDENTS 2 & 3
IN CMP(MD).15183, 15184, 15186/2023

(*)DHAVAMANI (DIED)

... RESPONDENT/RESPONDENT

(*)(MEMO DATED 04.07.2023 FILED ON 05.07.2023 IN
USR NO.20908 IS RECORDED, TO THE EFFECT THAT
SOLE RESPONDENT DIED, VIDE COURT ORDER
DATED 12.10.2023 MADE IN CMA(MD)NO.1027 OF
2017 BY TKRJ AND PBBJ)

IN CMP(MD).4804/2023

Prayer in CMP(MD).15183/2023 :

To condone the delay of 21 days in filing the application seeking to set aside the abatement caused due to the death of the sole deceased respondent in the above appeal CMA(MD) No.1027 of 2017 on the file of this Honourable Court.



CMP(MD) No.15183 of 2023

Prayer in CMP(MD). 15184/ 2023 :

To set aside the abatement caused due to the death of the sole deceased respondent in the above appeal CMA(MD) No.1027 of 2017 on the file of this Honourable Court.

Prayer in CMP(MD). 15186/ 2023 :

To bring on record the petitioners 1 and 2 herein as the legal representatives of the deceased sole respondent herein and record them as proposed respondents 2 and 3 in the above appeal CMA(MD) No.1027 of 2017 on the file of this Honourable Court.

Prayer in CMP(MD). 4804/ 2023 :

To fix an early date for final disposal of the above appeal in CMA(MD) No. 1027 of 2017 on the file of this Honourable Court.

Prayer in CMA(MD) No.1027 of 2017 :

To set aside the common fair and decretal order dated 31.07.2017 and made in HMOP No.76 of 2017 on the file of Family Court, Sivagangai, allow this appeal.

COMMON ORDER : These Civil Miscellaneous Petitions coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.S.SRINIVASA RAGHAVAN, Advocate for the petitioner in all CMP's, the court made the following order:-

The petitioner has filed a petition for divorce in H.M.O.P.No.76 of 2017 against his wife before the Family Court, Sivagangai. The said petition was dismissed against which, the petitioner has filed the above appeal. Pending appeal, the respondent / wife died.

2.It is the petitioner / husband who has filed a petition for divorce. Since the sole respondent had died pending appeal, nothing survives in the appeal and the present petitions are unnecessary.



CMP(MD) No.15183 of 2023

3. Accordingly, the petitions are closed.

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sd/-
09/08/2024

/ TRUE COPY /

/08/2024

Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mbi
TO

THE JUDGE,
FAMILY COURT, SIVAGANGAI.

+1. C.C. to MR.S.SRINIVASA RAGHAVAN Advocate SR.No.42728[F] Dated
09/08/2024

ORDER IN
C.M.P.(MD)Nos.15183, 15184, 15186, 4804 of 2023
IN CMA(MD) No.1027 of 2017
Date :09/08/2024

RS/VR/SAR-(20.08.2024) 3P 3C
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