



***CMA(MD)No.149 of 2021***

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE P. VELMURUGAN  
and  
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

**CMA(MD)No.149 of 2021**

Subash

... Appellant

vs.

Nithya

...Respondent

PRAYER: Appeal filed under Section 28 of the Hindu Marriage Act 1955 r/w.Order 43 Rule 1(c&d) of C.P.C., to call for the records in I.A. No.2 of 2019 in HMOP No. 50 of 2018 on the file of the Family Court, Tiruchirapalli, Tiruchirapalli District and set aside the order dated 07.06.2016.

For Appellant : Mr.A. Thiruvadikumar

For Respondent : Mr.N.Sathish Babu



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## **JUDGMENT**

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[Judgment of the Court was made by P. VELMURUGAN, J.]

This Civil Miscellaneous Appeal has been filed to set aside the order dated 07.06.2016 in I.A. No.2 of 2019 in HMOP No. 50 of 2018 on the file of the Family Court, Tiruchirapalli, Tiruchirapalli District.

2. Pending appeal both the appellant and the respondent jointly filed petition for divorce in HMOP No.427 of 2023 on the file of the Family Court, Tiruchirapalli under Section 13(B) of the Hindu Marriage Act and got the decree of divorce. In view of the same, the relief sought for in this appeal has become infructuous.

3. Therefore the Civil Miscellaneous Appeal stands dismissed as infructuous. No costs.

[P.V., J.] [L.V.G., J.]  
22.10.2025

Index : Yes / No  
Neutral Citation : Yes / No  
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Family Court, Tiruchirapalli, Tiruchirapalli District.



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