



C.M.A.(MD)No.176 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.02.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

C.M.A.(MD)No.176 of 2020

and

C.M.P.(MD)No.3038 of 2020

K.Sindhu

... Appellant

-Vs-

B.Gopinath

... Respondent

**PRAYER:** Civil Miscellaneous Appeal filed under Section 19 r/w Order 43 Rule 1 of Civil Procedure Code, praying this Court to set aside the order in H.M.O.P.No.524 of 2017, dated 29.01.2020 on the file of the Family Court, Madurai.

For Appellant : Mr.K.R.Laxman

For Respondent : M/s.P.Yasmin Beghum



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## **JUDGMENT**

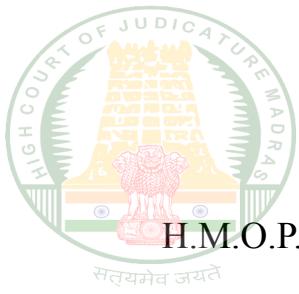
**[Judgment of the Court was delivered by *DR.G.JAYACHANDRAN, J.*]**

The learned counsel appearing for the appellant reports 'no instructions'.

2.It is the case, where the Family Court has dissolved the marriage solemnized between the appellant and the respondent. The dissolution of the marriage by virtue of the Court decree was on 29.01.2020. Challenging the order, the wife has preferred this appeal.

3.This Court, on 01.06.2020, granted interim stay of the order of the Family Court. However, now, the learned counsel appearing for the respondent states that the appellant has solemnized second marriage, despite obtaining stay of the order of the Family Court.

4.From the records, this Court finds that the marriage between the appellant and the respondent was solemnized on 15.03.2013. Since there were some misunderstanding between the spouses, a petition under Section 13(1)(i) and (i-a) of the Hindu Marriage Act was filed, which was taken on file as



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H.M.O.P.No.524 of 2017. The said marriage was dissolved by the decree of the Court on 29.01.2020. Since the appellant appears to have entered into a fresh marital life, she has not interested in pursuing the matter. Therefore, this Court is of the considered view that there is no necessity to interfere with the order of the Family Court. Hence, this Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**[G.J., J.] & [R.P., J.]**

**04.02.2025**

NCC : Yes / No

Index : Yes / No

*Yuva*

To

1.The Judge,

Family Court, Madurai.

2.The Record Keeper,

Vernacular Section,

Madurai Bench of Madras High Court,

Madurai.



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**DR.G.JAYACHANDRAN, J.**

**AND**

**R.POORNIMA, J.**

*Yuva*

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