

CMP(MD). No.9071 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction
Friday, the Twenty Fifth day of July Two Thousand and Twenty Five
PRESENT
The HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA
AND
The HONOURABLE MS. JUSTICE R. POORNIMA

CMP(MD). No.9071 of 2025
in
C.M.A(MD).No.171 of 2020

C.K.Jeghanivas Bahavathnath **... Petitioner/Appellant**
-Vs-

1 S.Sumitha

2 D.Dinesh **...Respondents/Respondents**

Prayer in CMP(MD). No.9071 of 2025 in C.M.A(MD).No.171 of 2020 :-

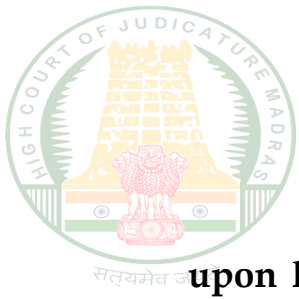
This Civil Miscellaneous Petition filed Under Order 41 Rule 19 C.P.C., to set aside the order passed in the above in C.M.A(MD) No.171/2020 which was dismissed on 24.10.2024 for non prosecution and restore the appeal on file.

Prayer in C.M.A(MD).No.171 of 2020 :-

Civil Miscellaneous Appeal filed under Section 19(1) of the Family Courts Act, against the fair and decretal Order dated 30.07.2019 passed in H.M.O.P.No.215 of 2018 on the file of the Judge, Family Court, Kanniyakumari District at Nagercoil.

ORDER:-

This Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and



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upon hearing the arguments of Thiru. K.P.Narayanakumar, Advocate for the Petitioner and of Thiru. K.Vamanan, Advocate for the 1st Respondent, this Court made the following order,

This petition has been filed to set aside the order passed by this Court in CMA(MD).No.171 of 2020, which was dismissed on 24.10.2024 for non prosecution.

2. The learned counsel appearing for the petitioner would submit that the petitioner has cleared the entire maintenance amount of Rs.1,96,000/- pending as on date.

3. Heard the learned counsel appearing for the respondents.

4. Considering the facts and circumstances of the case and also considering the fact that the petitioner has paid the entire arrears of maintenance, this petition is allowed, and C.M.A. (MD) No. 171 of 2020 is restored to file.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2025

Sub Assistant Registrar
(CS-I / II / III / IV)



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**1. The Judge, Family Court,
Kanniyakumari District at Nagercoil.**

Copy to:

**1. The Court Manager,
Madurai Bench of Madras High Court,
Madurai**

**2. The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court,
Madurai**

ORDER DATED : 25/07/2025

Next Hearing Date :31.07.2025

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Restore

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in

C.M.A(MD).No.171 of 2020

**Giving direction and etc.
as stated within.**

RA - (29.07.2025) 3P/ 4C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.



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