



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CMA No. 2329 of 2009

Karthikeyan Kulasekaran
S/o M.Kulasekaran No.2 155-157 Cox Avenue
Penrith Nsw 2750 Australia

..Appellant(s)

Vs

Easwaran Thillai Eswari
W/o Karthikeyan At No.10 Bharathi Park Main
Road Sai Baba Colony Coimbatore 641 011

..Respondent(s)

PRAYER:- Civil Miscellaneous Appeal filed under Section 28 of the Hindu Marriage Act r/w. Order XLI of CPC against the decree and judgment dated 28.04.2009 made in HMOP No.1 of 2008 on the file of the Additional District Court-I, Erode.

For Appellant(s): Mr.N.Manokaran

For Respondent(s): Ms.Aiyshwarya S
for M/s.Sarvabhauman Associates

JUDGMENT

The present appeal had been filed challenging the order of the Additional District Court-I, Erode dismissing the HMOP filed by the appellant against the respondent on the grounds of desertion and cruelty.



2. Today, when the matter was taken up for hearing, the parties appeared through videoconferencing and were identified by their respective counsels. A Memo was filed by the respondent indicating that she has no objection in the Appeal being allowed and the marriage also be dissolved between the parties. However, the respondent would submit that such dissolution of marriage shall not be on the grounds that were raised by the appellant in the application and the appellant also has no objection to the same.

3. The appellant and the respondent were married in the year 2000 and their relationship became litigious from the year 2008, when the HMOP was filed, 17 years had gone by and now the respondent had also filed a Memo to walk-away from the marriage.

4. Considering the facts and circumstances of the case, this Court exercising the power under Order XL1 Rule 33 of CPC grants a decree of divorce on mutual consent under Section 13B of the Family Courts Act.

5. In view of the above order, the Civil Miscellaneous Appeal stands disposed of. No costs.

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Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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K.KUMARESH BABU, J.

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To
The Additional District Court-I, Erode.

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