



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

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CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR JUSTICE K.RAJASEKAR

CMA No. 2685 of 2017

and

Criminal Revision No.553 of 2018

and

CMP No.14978 of 2017

Cause title in CMA.No.2685 of 2017:

Parameswari

..Appellant/Respondent

Vs.

Subramanian

..Respondent/Petitioner

Cause title in CrI.R.C.No:553 of 2018:

Parameswari

..Petitioner/Respondent

Vs.

Subramanian

..Respondent/Petitioner

Prayer in CMA.No.2685 of 2017: Appeal filed under Section 19 of the Family Court Act, against the fair and final order passed in HMOP No.929 of 2011 dated 24.01.2017 on the file of the Principal Family Court, Coimbatore.



Prayer in Crl.R.C.No.553 of 2018: Criminal Revision Case filed under Section 397 r/w. 401 of Cr.P.C., against the order passed in M.C.No.139 of 2011 dated 24.01.2017 on the file of the Principal Family Court, Coimbatore.

For Appellant / : Mr.C.Deivasigamani
Petitioner in both appeal
and Crl.R.C

For Respondent(s) in : Mr.V.Vijayakumar
both appeal and Crl.R.C

COMMON JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

The appellant had filed M.C No.139 of 2011 before the Family Court, Coimbatore seeking maintenance from the respondent. The respondent had filed HMOP No.929 of 2011 again before the Family Court, Coimbatore seeking restitution of conjugal rights. Both the matters were heard together and by common order dated 24.01.2017, the petition seeking maintenance was dismissed and the petition seeking restitution of conjugal rights was allowed. Challenging the common order, the above appeal and criminal revision case have been filed and have been pending from the year 2017.

2.Heard both sides.



3. Since the appellant did not join with the respondent, the respondent subsequently filed HMOP No.1995 of 2024 under Section 13(1)(ia) & 13(1)(ib) of the Hindu Marriage Act seeking dissolution of marriage which took place on 06.06.1985. An exparte decree had been passed by the Principal Family Court, Coimbatore on 08.09.2025.

4. In view of that subsequent event, since there is a valid decree dissolving the marriage, the appellant herein will have to necessarily workout her remedy over that particular decree. We would close the appeal and the criminal revision case, as of now they have become infructuous, with liberty to the appellant to reopen them depending on the nature of order passed, if any appeal is preferred against the judgment dated 08.09.2025 in HMOP No.1995 of 2024. As on today, we are informed that no appeal had been preferred against the order in HMOP No.1995 of 2024 dated 08.09.2025. No costs. Consequently connected miscellaneous petition is closed.

(C.V.K.,J.) (K.R.S.,J.)
05-03-2026

smv

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No



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**C.V.KARTHIKEYAN, J.
AND
K.RAJASEKAR, J.**

smv

**CMA No. 2685 of 2017
and
Crl.R.C.No.553 of 2018**

05-03-2026