Order QR

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

AND

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

CMA Nos. 2846 and 2847 of 2017
and
CMP Nos.26457, 26463 of 2026 and
4352 of 2024 and 16278 of 2017

CNR: {HCMA011842042017}

K.Sivakumar
S/o Late S.P.Kamarajan

..Appellant(s)
in both appeals

Vs

S.Vijayalakshmi
W/o K.Sivakumar,

..Respondent(s)
in both appeals

Prayer in C.M.A. No.2846 of 2017 : This Civil Miscellaneous Appeal is filed under Section 19 of Family Courts Act, to set aside the order made in OP No.2636 of 2007 dated 06.07.2017 on the file of III Additional Family Court at Chennai.

Prayer in C.M.A. No.2847 of 2017 : This Civil Miscellaneous Appeal is filed under Section 19 of Family Courts Act, to set aside the order made in O.P. No.2975 of 2006 dated 06.07.2017 on the file of III Principal Judge, III Additional Family Court at Chennai.

https://www.mhc.tn.gov.in/judis

WEB COPY

In both appeals

For Appellant(s): Mr Ashok Menon
for Mr.Yogesh Kannadasan

For Respondent(s): Ms R.Anitha for
for Mr.G. Janakiraman

JUDGMENT

(Judgment of the Court was delivered by M.Dhandapani J.)

The appellant/husband filed O.P. No.2636 of 2007 seeking dissolution of marriage, which came to be dismissed by the trial Court, vide order dated 06.07.2017. The respondent/wife filed a petition viz., H.M.O.P. No.2975 of 2006, seeking restitution of conjugal rights, which was allowed, vide order dated 06.07.2017. Aggrieved by the common order dated 06.07.2017, these appeals have been filed by the appellant/husband.

2. Learned counsel for the appellant submitted that the marriage between the parties was solemnised on 27.05.1994, and they have been living separately since May 2002. They have no children. The appellant/husband is presently settled at Tirupati, while the respondent/wife is practising as an advocate and is settled in Chennai. He also submitted that the appellant has remarried. The appellant is paying maintenance of Rs.15,000/- per month pursuant to the order passed in the maintenance proceedings dated 06.07.2017 in M.C. No.12 of 2008 passed by the III Additional Family Court, Chennai, which were taken up along with the matrimonial proceedings.

https://www.mhc.tn.gov.in/judis

WEB COPY

3. During the course of the hearing, the respondent/wife filed two applications seeking return of gold, diamond and silver jewellery allegedly in the custody of the appellant and permanent alimony of Rs.2 crores.

4. Considering the fact that the parties have been living separately for more than two decades, have no children, and are presently settled in different places, there appears to be no possibility of resumption of matrimonial life.

5. In view of the above, both the Civil Miscellaneous Appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(M.D.I.,J.) (A.D.M.C.,J.)
27-10-2026

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

VSI-2

https://www.mhc.tn.gov.in/judis

WEB COPY

M.DHANDAPANI, J.
AND
DR.A.D.MARIA CLETE, J.

VSI-2

To

1. The III Principal Judge,

III Additional Family Court at Chennai.

2. The Section Officer,

V.R. Section,

High Court,

Madras – 104.

CMA Nos. 2846 and 2847 of 2017
and
CMP Nos.26457, 26463 of 2026 and
4352 of 2024 and 16278 of 2017

27-10-2026

https://www.mhc.tn.gov.in/judis