



C.M.A(MD)No.317 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated: 29/01/2026

CORAM

THE HONOURABLE MR JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS JUSTICE R.POORNIMA

C.M.A(MD)No.317 of 2020

S.James Francis : Appellant/Respondent
Vs.
Silvester Ramani : Respondent/Petitioner

Prayer:- This Civil Miscellaneous Appeal is filed under Section 19 of the Family Court Act, as against the judgment and decree passed by the Family Court Judge, Dindigul, in I.D.O.P No.21 of 2018, dated 14/07/2020 on the file of the Family Court, Dindigul.

For Appellant : Mr.S.Sarvagan Prabhu
For Respondent : No appearance

J U D G M E N T

(Judgment of the Court was made by the Hon'ble **G.K.ILANTHIRAIYAN.J.**)

This Civil Miscellaneous Appeal has been preferred as against the judgment and decree passed by the Family Court Judge, Dindigul, in IDOP No.21 of 2018, dated 14/07/2020, thereby granted the decree of divorce on the ground of cruelty in favour of the respondent herein.



C.M.A(MD)No.317 of 2020

2.The appellant got married with the respondent on 15/09/2000 and gave birth to two childrens. Thereafter, due to misunderstanding between the husband and wife, they got separated. While being so, the respondent/wife filed a petition for divorce on the ground of adulterous relationship and cruelty. After full fledged trial, the Trial Court granted decree of divorce on the ground of cruelty alone. The allegation made as against the appellant in respect of the adulterous relationship was rejected.

3.Though notice was served on the respondent and her name is printed in the cause list, today she has not chosen to appear either in person or through Pleader.

4.The learned Counsel for the appellant submits that though there were allegations as if due to insult, the appellant's daughter cut her hands, she was not examined before the Trial Court and no piece of evidence was produced before the Trial Court to substantiate the same. The Trial Court granted divorce by observing that the evidence of the respondent is believable one and proved the ground of cruelty. Further, there is no possibility of re-union between the appellant and the respondent.



C.M.A(MD)No.317 of 2020

5. In view of the above, if the appeal is allowed, no purpose would be served and as such, this Court is not inclined to interfere with the impugned order passed by the Trial Court. However, whatsoever the observations made by the Trial Court as against the appellant's daughter can be ex-punished in view of the evidence as adduced by the respondent in respect of her claim and it may not affect the future of the appellant.

6. In the result, this Civil Miscellaneous Appeal is **dismissed**, confirming the impugned order of the trial court. No costs.

(G.K.I., J.) (R.P., J.)
29-01-2026

Index: Yes/No
Internet: Yes/No
er



WEB COPY



C.M.A(MD)No.317 of 2020

**G.K.ILANTHIRAIYAN,J
and**

R.POORNIMA,J

er

To,

- 1.The Family Court,
Dindigul.
- 2.The Section Officer,
VR/ER Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A(MD) No.317 of 2020

29/01/2026