



WEB COPY

***CMP(MD) NO. 6069 of 2021***

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 09-03-2026**

**CORAM**

**THE HONOURABLE MR JUSTICE N. ANAND VENKATESH**

**AND**

**THE HONOURABLE MR. JUSTICE P.DHANABAL**

**CMP(MD) NO. 6069 of 2021 in C.M.A.(MD).No.1056 of 2016**

C.Mani

Petitioner(s)

Vs

A.Sankaranarayanan @ Rajendran

Respondent(s)

**For Petitioner(s):**

Mr.ST.Sasidharan Tamilkani

**Prayer:**

Pleased to restore the C.M.A(MD).No.1056 of 2016, which was dismissed for Non-prosecution on 25.03.2021 and thus render justice.

**ORDER**

(Order of the Court was made by the Hon'ble N.Anand Venkatesh J.)

This petition has been filed to restore C.M.A.(MD).No.1056 of 2016 which was dismissed for non-prosecution on 25.03.2021.



WEB COPY

2. We heard the learned counsel appearing for the petitioner and carefully went through the affidavit filed in support of the petition.

3. In the petition, it is stated that when the appeal was posted for final hearing on 25.03.2021, the counsel was not able to attend the hearing and therefore, the appeal was dismissed for non-prosecution.

4. We wanted to satisfy ourselves as to whether the prosecution of this petition will finally end up with some purpose. Accordingly, we went through the judgment passed by the Family Court, Madurai.

5. On carefully reading the order passed by the Family Court, it is seen that even as on the date when the order was passed in the main petition, the parties were not living together for more than 27 years. The Family Court found that no proper explanation was forthcoming as to why the petitioner was not living with her husband for such a long time. The Family Court also found that there were no issues.



WEB COPY

6. When the order was passed by the Family Court, the parties were not living together for more than 27 years. As on today, the parties are not living together for 38 years. Therefore, the marriage itself has become a deadwood. Hence, no useful purpose will be served in restoring the appeal and hearing.

7. In view of the above, we find no ground to restore the appeal and accordingly, this petition stands dismissed.

**(N.ANAND VENKATESH J.) (P.DHANABAL J.)**  
**09-03-2026**

TSG