

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN
&
THE HONOURABLE MR. JUSTICE P.D.RAJAN

MONDAY, THE 5TH DAY OF JANUARY 2015/15TH POUSHA, 1936

Mat.Appeal.No. 419 of 2012 ()

AGAINST THE ORDER IN OP(HMA) 470/2005 of FAMILY COURT,
KOTTARAKKARA DATED 2.4.2012

APPELLANT(S)/PETITIONER:

BABURAJAN PILLAI
AGED 45 YEARS, S/O.GOPALA PILLAI, NEDUMANOOR VEEDU
KARINGANNOOR (P.O), VELINALLOOR VILLAGE
KOTTARAKKARA TALUK.

BY ADV. SRI.B.MOHANLAL

RESPONDENT(S)/RESPONDENTS:

1. NISHAMOL
AGED 35 YEARS, D/O.GOPINATHAN ASHAN, ALAKA
KARINGANNOOR (P.O), (FROM EDATHARA MELOOT VEEDU)
THALACHIRA P.O., KOTTARAKKARA TALUK-689 664.
2. GOPINATHAN ASHAN
EDATHARA MELOOT VEEDU, THALACHIRA P.O.
KOTTARAKKARA TALUK-689 664.

R1 & 2 BY ADV. SRI.SAJU.S.A

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
05-01-2015, ALONG WITH MA. 516/2012, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

ami/

V.K.MOHANAN & P.D.RAJAN, JJ.

Mat.Appeal.Nos.419 and 516 of 2012

Dated this the 5th day of January, 2015.

J U D G M E N T

Mohanan, J.

Mat.Appeal No.419/12 is preferred against the common judgment dated 2.4.2012 in O.P.(HMA) No.470/05 of the Family court, Kottarakkara, which is a petition filed by the husband for divorce and as per the impugned judgment, the said petition was dismissed. Whereas, Mat.Appeal No.516/12 is preferred by the wife against the order dated 2.4.2012 in O.P.No.535/05 of the Family court, Kottarakkara, at the instance of the appellant who is the petitioner in the above original petition for return of gold ornaments and money, which was also dismissed.

2. During the pendency of the above appeals before this Court, the parties were directed to undergo mediation proceedings. Now, it is reported that the matter is mediated and settled. As per the letter dated 30.7.2014 of the Nodal Officer, Ernakulam Mediation Centre, the Nodal Officer has

forwarded the report of the mediator and the settlement agreement signed by both the parties.

3. We have perused the memorandum of agreement recorded under section 89 of CPC r/w Rule 24 of the Civil Procedure (Alternative dispute resolution) Rules 2008. On the basis of the settlement arrived, these appeals are disposed of and the above settlement forms part of this judgment.

4. Accordingly, the decree and judgment dated 2.4.2012 in O.P.(HMA) No.470/05 of the Family court, Kottarakkara, is set aside and OP (HMA) No.470/05 of the Family court, Kottarakkara, stands allowed, dissolving the marriage solemnised between the petitioner and 1st respondent on 3.9.1997. A decree follows accordingly.

Sd/-

V.K.MOHANAN, Judge

Sd/-

P.D.RAJAN, Judge

ami/

//True copy//

P.A.to Judge