

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.T.SANKARAN
&
THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

THURSDAY, THE 9TH DAY OF APRIL 2015/19TH CHAITHRA, 1937

Mat.Appeal.No. 4 of 2015 ()

AGAINST THE ORDER IN GOP 1870/2013 OF FAMILY COURT,THRISSUR DATED
10-11-2014

APPELLANT(S):

SOUMYA, D/O.N.G.DEVAN
NELLIPARAMBIL HOUSE, PADINJATTUMURI
KUTTOOR P.O. THRISSUR TALUK
THRISSUR DISTRICT-680 013

BY ADV. SRI.MAHESH V.MENON

RESPONDENT(S):

1. SAJU, S/O.LATE MAMUNNI
CHEERAKUZHI HOUSE, AVINISSERY VILLAGE
PERINCHERY P.O THRISSUR TALUK
THRISSUR DISTRICT 680 306.

MINOR

2. DEVAPRAYAG, AGED 3 YEARS
DATE OF BIRTH 7.8.2011

R1 BY ADV. SRI.V.BINOY RAM

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
09-04-2015, ALONG WITH MA. 46/2015, THE COURT ON THE SAME
DAY DELIVERED THE FOLLOWING:

K.T.SANKARAN & BABU MATHEW P JOSEPH, JJ.

Mat.Appeal No.4 of 2015
&
Mat.Appeal No.46 of 2015

Dated this the 9th day of April, 2015

JUDGMENT

K.T.Sankaran, J.

The disputes between the parties were settled before the Mediation Centre and a mediated settlement agreement was executed and signed between the parties. The terms of the mediated settlement agreement are the following :

“The dispute covered in the above case was referred for Court annexed mediation and was mediated by Mr.A.R.George, Advocate and accredited trained mediator and parties have agreed to settle the dispute as under :

1. Towards settlement of all disputes the appellant and respondent agree to dissolved their marriage by mutual consent by filing a joint petition

before the Family Court, Thrissur on or before 5.6.2015.

2. Towards the above settlement the respondent agrees to deposit ₹4,00,000/- in the name of their minor child Devaprayag and also agrees to pay ₹2,00,000/- to the appellant towards full and final settlement of all their claims including the past as well as future maintenance.

3. The respondent agrees to deposit ₹ 2,00,000/- in the name of minor child and also to pay ₹1,00,000/- to the appellant before filing joint petition and the balance amount of ₹2,00,000/- and ₹ 1,00,0000/- respectively as above, before finalizing/allowing the joint petition by the Family Court, Thrissur.

4. Regarding the custody of their child Devaprayag, both appellant and respondent agree that the respondent will be entitled to have the visitation right once in a month on every second Saturday from 10.00 A.M. to 5.00 P.M. up to the child attaining the age of 5 years and visitation right

twice in a month (on every second and last Saturday of the month from 10.00 A.M. to 5.00 P.M.) up to the age of 7 years and thereafter the respondent to have the custody of the child for two days from 10.00 A.M. on every second Saturday to 5.00 P.M. on next day (Sunday), and the visitation right of the child on the last Saturday of the month from 10.A.M. to 5.00 P.M.

5. The respondent agrees to return the necklace of 3 sovereigns to the appellant, and the appellant agrees to return the Thali Mala of 5 sovereign with Thali of 1 sovereign to the respondent. Both parties agree to do so on or before finalization of the joint petition by the Family Court, Thrissur.

6. In view of this settlement the appellant agrees to withdraw M.P.No.101/2015 in M.C.No.421/2012 pending before the Family Court, Thrissur for maintenance on finalization of the joint petition and it is also agreed that the appellant shall not proceed against the order in O.P.No.524/2012 of

Family Court, Thrissur filed for return of gold ornaments and money.

7. In case the parties fail to comply with any of the conditions as above, the parties will be at liberty to proceed with their respective cases.”

In view of the settlement, the Mat.Appeals are disposed of in terms of the settlement.

**K.T.SANKARAN
JUDGE**

**BABU MATHEW P.JOSEPH
JUDGE**