

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE C.K.ABDUL REHIM
&
THE HONOURABLE MR. JUSTICE K.RAMAKRISHNAN

FRIDAY, THE 5TH DAY OF JUNE 2015/15TH JYAISHTA, 1937

Mat.Appeal.No. 215 of 2015 ()

AGAINST THE JUDGMENT IN OP 216/2013 of FAMILY COURT, NEDUMANGAD
DATED 29-11-2014

APPELLANT/PETITIONER :

DR.DEEPU JOSEPH,
S/O. SUNNY JOSEPH, KRUVAYIL, ARUKANI P.O.
VIA KALIYAL, KANYAKUMARI DISTRICT, TAMILNADU
REP.BY HIS POWER OF ATTORNEY HOLDER SUNNY JOSEPH
S/O. K.J.MATHEW, KRUVAYIL, ARUKANI P.O.
VIA KALIYAL, KANYAKUMARI DISTRICT, TAMILNADU.

BY ADV. SRI.SAIBY JOSE KIDANGOOR

RESPONDENT/RESPONDENT :

ANJU JOSEPH,
D/O. BABY JOSEPH, KP 10/83, NCC ROAD,
KUMARAPURAM, PEROORKADA, THIRUVANANTHAPURAM-695 008.

BY ADV. SRI.V.ANIL (K/1480/98)

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
05-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.K. ABDUL REHIM & K. RAMAKRISHNAN, JJ.

.....
Mat.A.No.215 of 2015
.....

Dated this the 5th day of June, 2015.

JUDGMENT

Abdul Rehim, J:

This appeal is filed against the judgment in O.P.No.216/2013 of the Family Court, Nedumangad. The case before the Family Court was filed by the appellant herein seeking for dissolution of the marriage with the respondent, on the ground of alleged cruelty. The Family Court, after trial of the case, declined the relief by holding that the appellant is not entitled to get a decree of divorce on the ground of cruelty.

2. When the appeal came up for consideration before this Court, the matter was referred for mediation. A report received from Ernakulam Mediation Centre would indicate that the parties in this appeal have arrived at a settlement and a Memorandum of Settlement was signed by both the parties. The Memorandum of Settlement is attached along with the report of the Mediation Centre. It would indicate that the parties have agreed to dissolve their marriage by filing a petition for divorce on mutual consent before the Family Court, Nedumangad. The

settlement also includes matters with respect to other disputes pending before the Family Court in O.P.No.1754/2011, and further with respect to the criminal case pending before the Magistrate Court.

3. In view of the Memorandum of Settlement arrived, learned counsel for the appellant submitted that the appeal need not be pursued further.

Under the above mentioned circumstances, the appeal is dismissed by leaving open liberty to the parties to file a joint application as agreed upon in the settlement. Parties shall abide by the terms of the settlement.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

/true copy/

P.S to Judge

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