

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 10TH DAY OF JULY 2015/19TH ASHADHA, 1937

Mat.Appeal.No. 244 of 2011 ()

**AGAINST JUDGMENT DATED 15-10-2010 IN OPOS 335/2007 of
FAMILY COURT, ALAPPUZHA**

APPELLANT/PETITIONER:

**MINI SAMUEL
D/O. STEPHEN VARGHEESE,
PUTHEN VEETIL, KURATHIKADU, THEKKEKARA P.O.
PIN- 690107, MAVELIKKARA, ALAPPUZHA DISTRICT.**

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENT/RESPONDENT:

**SAJU SAMUEL
S/O. LATE CHACKO SAMUEL,
SAJU VILLA, KURATHIKADU, THEKKEKARA P.O.
PIN-690107, MAVELIKKARA, ALAPPUZHA DISTRICT.**

**BY ADVS. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP**

**THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 10-07-
2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

AMG

MA No.244/2011

APPENDIX

APPELLANT'S ANNEXURES

NIL

RESPONDENT'S EXHIBITS

ANNEXURE-1 - TRUE COPY OF THE RECEIPT EVIDENCING THE ACCEPTANCE
OF Rs.6,27,500/-

True copy

P.A. To Judge

AMG

**C.K. ABDUL REHIM, J.
&
K. RAMAKRISHNAN, J.**

Mat. Appeal No. 244 OF 2011

DATED THIS THE 10th DAY OF JULY, 2015

J U D G M E N T

K. Ramakrishnan, J:

The petitioner in OP (OS) No.335/2007 on the file of Family Court, Alappuzha is the appellant herein.

2. The above suit was filed by the petitioner wife for claiming maintenance for the petitioner. The respondent appeared and contested the case. This was tried along with OP (Div) 923/2006 and OP (OS) 336/2007 by the Family Court, Alappuzha and by a common judgment allowed divorce application filed by the respondent and dissolved the marriage between them and OP (OS) No.336/2007 was allowed granting a decree for recovery of an amount of Rs.5,00,000/- being the patrimony in favour of the petitioner against respondent and OP (OS) 335/2007 filed by the petitioner for past and future maintenance was dismissed. Aggrieved by that judgment, in OP (OS) 335/2007, the petitioner filed the above appeal. Against granting divorce, she filed Mat. Appeal 207/2011 before this court.

2. During pendency of the proceedings the matter has been settled between the parties. On the basis of the settlement Mat. Appeal No.207/2011 was dismissed as not pressed on today. They filed I.A. No.2381/2015 to dispose of the above appeal recording the compromise. So, I.A. No.2381/2015 is allowed and compromise is recorded and the decree and judgment passed by the court below dismissing OP (OS) 335/2007 is set aside and the appeal is disposed of by granting decree in terms of the settlement entered into between the parties and the compromise agreement recorded by this court will form part of the judgment.

3. Registry will transmit back records to the court below immediately.

Sd/-

C.K. ABDUL REHIM, JUDGE.

Sd/-

K. RAMAKRISHNAN, JUDGE.

AMG

True copy

P.A. to Judge