

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE V.K.MOHANAN

&

THE HONOURABLE MR. JUSTICE P.D.RAJAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

Mat.Appeal.No. 36 of 2014 ()

AGAINST THE JUDGMENT IN OP 1072/2010 of FAMILY COURT,
THRISSUR DATED 24.9.2013

APPELLANT(S)/PETITIONER:

SINDHU, AGED 26 YEARS
D/O.KALEERAKATH VISWANATHAN
ERATTUPUZHA BLANGAD DESOM, KADAPURAM VILLAGE
CHAVAKKAD TALUK.

BY ADV. SRI.RAJIT

RESPONDENT(S)/RESPONDENTS:

THRIVINATH,, AGED 32 YEARS
S/O.CHERUPURAYIL GOPINATH, MOOTHAKUNNAM BEACH DESOM
NATTIKA AMSOM, CHAVAKKAD TALUK.

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 24-02-2015,
ALONG WITH MA 851/14, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ami/

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

Mat.Appeal.Nos.36 & 851 of 2014

Dated this the 24th day of February, 2015.

J U D G M E N T

Mohanana, J.

Mat.Appeal No.36/14 is directed against the judgment dated 24.9.2013 in O.P.No.1072/10 of the Family court, Thrissur, by which the Family court dismissed the divorce petition filed by the wife against the husband who is the appellant in Mat.Appeal No.851/14. The challenge in Mat.Appeal No.851/14 is against the judgment dated 24.9.2013 in O.P.No.561/08 of the Family court, Thrissur, by which the learned Judge of the Family court allowed the claim of the wife for recovery of gold ornaments and money, and thereby the appellant/husband and others are directed to return the gold ornaments weighing 40 sovereigns which are scheduled in the petition or its equivalent value of Rs.3,52,000/- to the petitioner/wife within 2 months from the date of the judgment, failing which, the equivalent value

will carry interest at the rate of 6% per annum from the date of the petition till realisation and it was also declared that the petitioner/wife will not be entitled to get return the household articles or its equivalent value or the refund of cash of Rs.10,000/-.

2. During the pendency of the above appeals, the matters were sent for mediation and the Nodal Officer by his letter No.38/15 dated 18.2.2015 forwarded the report of the Mediator including the memorandum of agreement under section 89 of CPC r/w Rules 24 & 25 of the Kerala Civil Procedure (Mediation), Rules, 2008. We have perused the terms and conditions incorporated in the memorandum of agreement and we are satisfied with the same, as the same are signed by the both the contesting parties and counter signed by the concerned counsel appearing for the parties. The above memorandum of agreement and the terms and conditions incorporated therein form part of this judgment. Accordingly, a decree

will follow. Thus the above matters are disposed of accordingly.

Sd/-
V.K.MOHANAN, Judge

Sd/-
P.D.RAJAN, Judge

ami/

//True copy//

P.A.to Judge