

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

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

WEDNESDAY, THE 8TH DAY OF APRIL 2015/18TH CHAITHRA, 1937

Mat.Appeal.No. 1111 of 2014 (D)

AGAINST THE JUDGMENT IN OP 1779/2010 of FAMILY COURT,
ERNAKULAM DT.12/06/2014

APPELLANT/PETITIONER:

REMYA M.K., AGED 27 YEARS
D/O.RAVINDARN NAIR, KARUVANKANDY HOUSE, NOCHAD
NADUVANNUR, KOZHIKODE

BY ADVS. SRI.SHAJI P.CHALY
SMT.K.S.SUMITHA
SMT.K.JASMIN BABY
SRI.S.GOPAKUMAR
SRI.R.SANJITH
SMT.C.S.SINDHU KRISHNAH
SRI.ANISH ANTONY
SRI.M.SHINO

RESPONDENTS/RESPONDENTS:

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1. VEETTU E, AGED 35 YEARS
S/O.SANKARA KURUP, THANDRAPPALLI, KURIKKILAD,
VATAKARA, KOZHIKODE-673104
AT PRESENT WORKING AT J-RAY METRO MOTT, P.O. BOX NO.18180
BADGA NO 308050, GABELANI
WELDING DEPARTMENT DUBAI-UAE
 2. NARAYANIKUTTY AMMA, AGED ABOUT 63 YEARS
W/O.SANKARA KURUP, THANDRAPPALLI, KURIKKILAD
VATAKARA, KOZHIKODE-673104
 3. SANKARA KURUP, AGED ABOUT 71 YEARS,
THANDRAPPALLI, KURIKKILAD, VATAKARA
KOZHIKODE-673104.

R1-R3 BY ADV. SRI.P.S.SREEDHARAN PILLAI

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON
08-04-2015, ALONG WITH MA. 1112/2014, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

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

Mat. Appeal Nos.1111 & 1112 of 2014

Dated this the 8th day of April, 2015

JUDGMENT

K. T. Sankaran, J.

The parties in both the appeals are substantially the same. O.P. No.136 of 2011 was filed by Veettu.E against Remya, Ravindran Nair and Chandrika, Remya being the wife of Veettu, claiming damages and marriage expenses. The Family Court partly allowed O.P. No.136 of 2011 against which Remya and others, the respondents in O.P. No.136 of 2011 filed Mat. Appeal No.1112 of 2014.

2. Remya filed O.P. No.1779 of 2010 before the Family Court against Veettu and his parents for return of gold ornaments. The Family Court dismissed O.P. No.1779 of 2010 against which Remya filed Mat. Appeal No.1111 of 2014.

3. When the appeals came up for hearing, the parties were referred for mediation and they settled their disputes and differences before the Mediation Centre. A Memorandum of

Settlement was arrived at between the parties, the terms of which are the following:

“Parties agree to settle the disputes involved in the above Mat. Appeal and Mat. Appeal No.1111 of 2014 on the following terms and conditions:

- 1.Appellants agree to pay and the respondent agrees to accept a sum of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) in full and final settlement of the respondents claim as per order dated 12.06.2014 in O.P. No.136 of 2011 of the Family Court, Ernakulam which is under challenge in the above appeal.
- 2.The above mentioned amount shall be paid by the appellants to the respondent within a period of 4 months from 01.04.2015.
- 3.On failure of making payment as mentioned above, the amount shall carry interest @ 09% per annum from 01.08.2015 till realization.
- 4.Appellant No.1 agrees to withdraw Mat. Appeal No.1111 of 2014 pending before this Hon'ble Court.
- 5.On compliance with the above mentioned conditions, the parties shall not have any further claim against each other.
- 6.On compliance with the payment of amount as mentioned above, the respondent, Veettu shall not have any objection in this Hon'ble Court quashing C.C. No.196/12 on the files of Judicial First

Class Magistrate Court, Perambra, arising out of Crime No.496 of 2010 of Perambra Police Station.

7.The above Mat. Appeal may be allowed recording this settlement and modifying the order dated 12.06.2014 passed by the Family Court, Ernakulam in O.P. No.136/2011 and dismiss Mat. Appeal No.1111/2014 as withdrawn."

The Memorandum of Settlement is recorded and accordingly Mat. Appeals are disposed of as follows:

- 1) Mat. Appeal No.1111 of 2014 is dismissed as withdrawn.
- 2) Mat. Appeal No.1112 of 2014 is disposed of in terms of the settlement in O.P. No.136 of 2011 on the file of the Family Court, Ernakulam.

Sd/-
K. T. SANKARAN
JUDGE

Sd/-
BABU MATHEW P. JOSEPH
JUDGE

kns/-

//TRUE COPY//

P.A. TO JUDGE

