



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

CMSA.No.30 of 2014

B.K.Saravanan

...Appellant/Petitioner

Versus

R.Sumathi

...Respondent/Respondent

This Civil Miscellaneous Second Appeal is filed under Section 28 of Hindu Marriage Act r/w Section 100 of C.P.C. challenging the judgement and decree dated 13.08.2013 made in H.M.C.M.A.No.1 of 2012 passed by the II Additional District and Sessions Court, Vellore at Ranipet reversing the order dated 12.10.2011 made in H.M.O.P.No.137 of 2009 passed by the Sub-Court, Ranipet.

For Appellant : Mr.B.Jawahar

For Respondent : Mr.L.Mahendran

JUDGMENT

This Civil Miscellaneous Appeal has been filed against the reversing judgement of the II Additional District and Sessions Court, Vellore at Ranipet and reversing the decree of divorce granted by the Trial Court in favour of the appellant.

2. The appellant got married respondent on 14.7.2008 due to misunderstanding and they have been living separately from 2008 onwards. This necessitated the appellant to file H.M.O.P.No.137 of 2009 before the Sub Court, Ranipet. After contest, decree of divorce was granted. The appeal in H.M.C.M.A.No.1 of 2012 filed by the respondent was allowed by the II Additional District and Sessions Court, Vellore at Ranipet, reversing the decree of Divorce and dismissed the divorce petition, against which only, the present



appeal has been filed.

3. When the matter is called today, both the appellant as well as respondent are present along with their respective counsels. Both the parties categorically stated that they are not interested in continuing their married life. Therefore, they seek for dissolution of marriage and allow the appeal. A joint memo of compromise signed by both the parties and countersigned by their respective counsels has been filed stating that they have consented for divorce by a deed dated 31.1.2015.

4. In view of the above development, the appeal filed by the husband is allowed, declaring the marriage held on 14.7.2008 with the respondent is dissolved. The deed dated 31.1.2015 as well as the joint memo of compromise dated 8.6.2014 shall form part of this order. The appeal is allowed. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. II Additional District and Sessions Judge,
Vellore at Ranipet.

2. The Subordinate Judge,
Ranipet.

1 CC to Mr.L.Mahendran, Advocate SR.No. 27795

C.M.S.A.No.30 of 2014

VD (CO)
PSI (18.08.2015)