

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2015

CORAM:

THE HON'BLE MR.JUSTICE M.JAICHANDREN
AND
THE HON'BLE MS.JUSTICE K.B.K.VASUKI

C.M.A. Nos.664 and 665 of 2011

V.Elumalai ...Appellant in both Appeals/
Respondent

vs.

Cynthia Gonsalvez ...Respondent in both Appeals/
Petitioner

PRAYER: Appeals are filed against the order and decree dated 20.11.2010 made in FCOP Nos.2170/2005 and 22/2010 by the learned Principal Judge, Family Court, Chennai.

For appellant : Mr.J.Alexander

For respondent : Ms.Premalatha

J U D G M E N T

The above Civil Miscellaneous Appeals have been preferred against the common order, dated 20.11.2010, made in FCOP Nos.22 of 2010 and 2170 of 2005, on the file of the Principal Family Court, Chennai, whereby the petition filed by the respondent-wife seeking dissolution of marriage was allowed and the petition filed by the appellant-husband seeking restitution of conjugal rights was dismissed.

2. The matter was referred for mediation to the Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, by the order of this Court, dated 13.11.2014.

3. A communication, dated 9.2.2015, of the Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, has been received,

enclosing a copy of the Mediation Report, dated 3.2.2015, stating that the matter has been settled between the parties concerned, as per the terms cited in the Mediation Agreement, dated 3.2.2015, which had been signed by the parties, as well as their respective counsels. The terms of the Mediation Agreement, dated 3.2.2015, reads as under:-

"Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:

1. Appellant and Respondent agreed to live together happily by forgetting all the issues against each other.
2. Appellant and Respondent agreed to abide by the orders of this Hon'ble High Court."

4. As the parties have arrived at an amicable settlement, these Civil Miscellaneous Appeals stand allowed, in terms of the Mediation Agreement, dated 3.2.2015. The terms of the Mediation Agreement, dated 3.2.2015, shall form part of the order. The decretal orders, dated 20.11.2010, made in FCOP Nos.22 of 2010 and 2170 of 2005, on the file of the Principal Family Court, Chennai, are set aside. There shall be a decree, in terms of the Mediation Agreement, dated 3.2.2015. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Deputy Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

The Principal Judge,
Family Court, Chennai.

3 CCs to Ms.Premalatha, Advocate SR.No. 10558

3 CCs to Mr.J.Alexander, Advocate SR.No. 10559

C.M.A. Nos.664 and 665 of 2011

UG (CO)

PSI (25.03.2015)