

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

C.M.A.No.766 of 2014

S.Senthilkumar .. Appellant/Petitioner

-vs-

P.Shanthi @ Jackquilin .. Respondent/Petitioner

Memorandum of Grounds of Civil Miscellaneous Appeal under Section 19 of the Family Court Act, against the fair and decretal order dated 14.11.2013 made in I.A.No.815 of 2013 in O.P.No.2952 of 2011 on the file of the III Additional Family Court, Chennai.

For Appellant :: Mr.A.S.Narasimhan for
Mr.P.Madhan

For Respondent :: No appearance

JUDGMENT

(Judgment of the Court was delivered by HULUVADI G.RAMESH, J.)

The appellant has challenged the award of maintenance ordered by the Court below in this civil miscellaneous appeal. By order dated 13.4.2016, we had directed the parties to approach the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras for exploring the possibility of settlement with regard to the payment of maintenance as well as for dissolution of marriage on the ground of void marriage. Today, when the appeal was taken up, the mediation agreement dated 21.4.2016 agreeing to the terms entered therein between the parties before the Tamil Nadu Mediation and Conciliation Centre, having been signed by both the parties along with the respective counsel, is placed before us, wherein both the parties have agreed to the following terms:-

"1. The petitioner and the respondent agrees in passing a compromise decree in O.P.No.2952 of 2011 pending on the file of the III Additional Family Court in declaring the marriage between the petitioner and the respondent as null and void and not binding on each other.

2. The petitioner and the respondent declare that the marriage was not consummated.

3. The respondent hereby declares that she is not entitled any maintenance from the petitioner/appellant and as such discharges the petitioner from all the liabilities and claim either in the past or in the present and in the future including maintenance ordered in I.A.No.815 of 2013 in O.P.No.2952 of 2011 dated 14.11.2013 and as such gives consent in allowing the C.M.A.No.766 of 2014 pending on the file of the Hon'ble High Court.

4. The petitioner hereby declares that he has no claim as against the respondent and as such the petitioner discharges the respondent from all claim whatsoever against the respondent either in the past or in the present and in the future.

5. Both the petitioner and the respondent declare that both have no relationship against each other and as such undertake that they will make no claim against each other in future also.

6. Both parties agree that stay granted by the Hon'ble Court in M.P.No.1/2014 in C.M.A.No.766/2014 dated 24/03/2014 may be vacated to enable the III Addl.Family Judge to pass a decree as per terms of compromise entered between the parties."

2. The above terms of compromise is recorded and the mediation agreement dated 21.4.2016 shall form part of the record. Accordingly, this civil miscellaneous appeal is disposed of in terms of the aforesaid settlement arrived at between the parties. Consequently, the interim order granted by this Court in M.P.No.1 of 2014 stands vacated and the miscellaneous petition is closed. In the light of the above settlement, the O.P.No.2952 of 2011 filed before the III Additional Family Court, Chennai shall stand allowed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ss

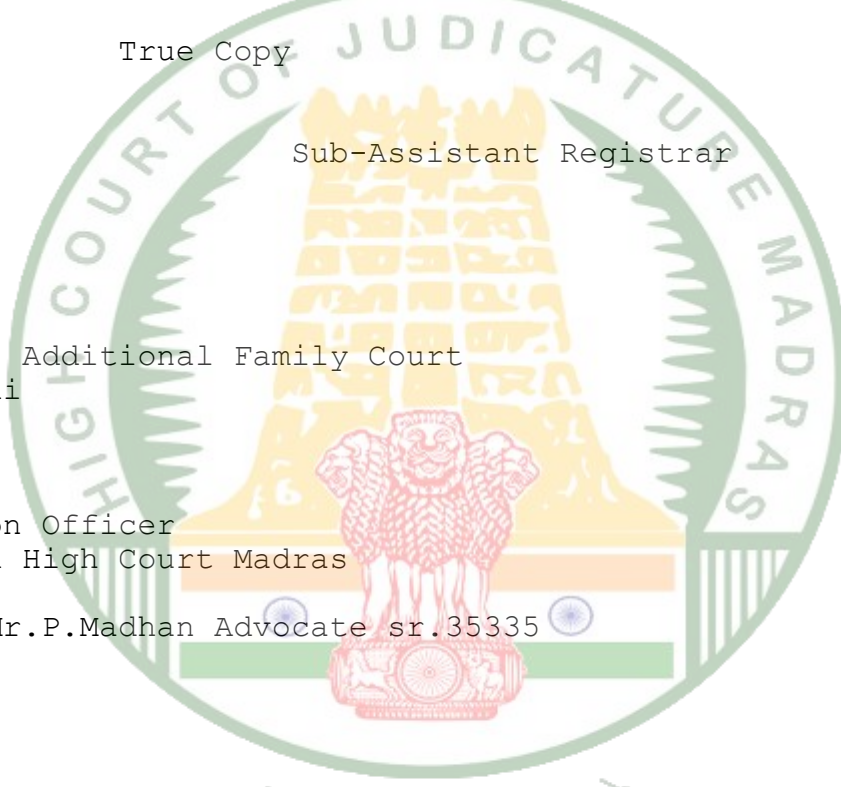
To

1. The III Additional Family Court
Chennai

copy to

The Section Officer
VR Section High Court Madras

+1 cc to Mr.P.Madhan Advocate sr.35335



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C.M.A.No.766 of 2014

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