

IN THE HIGHCOURT OF JUDICATURE AT MADRAS

DATED: 19.01.2016

CORAM:

THE HONOURABLE DR.JUSTICE S.TAMILVANAN
and
THE HONOURABLE MR.JUSTICE G.CHOCKALINGAM

C.M.A.Nos.3463 and 3464 of 2010
and M.P.No.1 of 2010

T.Rajkumar Appellant in both appeals

Vs.

B.Radhika Respondent in both appeals

Civil Miscellaneous Appeals have been filed under Section 19 (1) of the Family Courts Act against the fair and decretal order, dated 18.09.2010 made in H.M.O.P.No.75 of 2008 and H.M.O.P.No.560 of 2007 on the file of the Family Court, Coimbatore.

For Appellant : Mr.N.Manokaran

For Respondent : Mr.M.Prabakaran

COMMON JUDGMENT

(Judgment of the Court was delivered by S.TAMILVANAN,J)

Heard the learned counsel for the appellant as well as the learned counsel for the respondent.

2. H.M.O.P.No.560 of 2007 has been filed by the appellant / husband seeking divorce and that was negatived by the Court below and H.M.O.P.No.75 of 2008 has been filed by the respondent / wife, seeking restitution of conjugal rights and that was allowed by the Court below after the trial. Aggrieved by which, the appellant has preferred the present Appeals.

3. When the matters came up for hearing, learned counsel for the respondent submitted that the respondent / wife of the appellant is willing for allowing these appeals, since she has received a sum of Rs.10,00,000/- (Rupees Ten lakhs only) as consensus arrived at between the parties and the learned counsel

for both sides requested the Court to pass appropriate orders in terms of the memo of compromise filed by the appellant.

4. The petitioner and the respondent were present before this Court, learned counsel for both sides have filed a joint memorandum of compromise under Section 23 Rule 1 (1) of the Code of Civil Procedure.

5. The memorandum of compromise was read over and explained to both the parties present in the open court and they admitted the contents and correctness of the memorandum of compromise in the presence of both the counsel. In view of the settlement arrived at between the parties, which was reduced into writing in the form of joint memo of compromise, the Civil Miscellaneous Appeals are disposed of in terms of the Memo of Compromise filed by the parties. The joint memo of compromise shall form part of the decree. Consequently, connected miscellaneous petition is closed. No order as to costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

kal / tsvn

To

The Judge, Family Court
Coimbatore.

+2 ccs to Mr.G.Swaminathan, Advocate, sr.3148 & 3149

+2 ccs to Mr.N.Manokaran, Advocate, sr.2915 & 2916

C.M.A.Nos.3463 and
3464 of 2010

tej co
kra 11.02.2016