

In the High Court of Judicature at Madras

Dated : 14.07.2017

Coram

The Honourable Mr.Justice R.SUBBIAH
and
The Hon'ble Mr.Justice A.D. JAGADISH CHANDIRA

C.M.A.No.1388 of 2017
and CMP No.7351 of 2017

Mrs.AravindaAppellant/Respondent

..vs..

D. UmamaheshRespondent/Petitioner

Civil Miscellaneous Appeal under Section 19 of Family Courts Act, 1984 against the order and decretal order dated 19.08.2015 in I.A.No.1966 of 2013 in O.P No.3619 of 2011 on the file of III Additional Family Court, Chennai.

For Appellants : Mr.S. Parthasarathy
For Respondent : Mr.R. Amizhdhu

JUDGMENT

(Judgment of the court was delivered by R. SUBBIAH,J.,)

This appeal has been filed by the appellant/wife as against the dismissal order of maintenance passed by the learned III Additional Principal Judge, (III Additional Family Court, Chennai in I.A.No.1966 of 2013 (filed by the appellant herein) in O.P.No.3619 of 2011.

2. During the pendency of the appeal, the parties have arrived at amicable settlement. As per the settlement, the respondent/husband agrees to pay monthly maintenance of Rs.10,000/- (Rupees ten thousand only) per month, commencing from July 2017, as maintenance for the girl child Vasumathi Keerthana. The respondent/husband also agreed to pay the maintenance from the date of filing of the petition i.e., 01.06.2013 to 31.06.2017 for a sum of Rs.4,90,000/- (Rupees four lakhs ninety thousand only in two instalments of Rs.2,45,000/- (Rupees two lakhs forty five thousand only) each. The respondent/husband also undertakes to pay the first instalment of Rs.2,45,000/- (Rupees two lakhs forty five thousand only) within six weeks from the date of order of this Court i.e., before 25.08.2017 and further undertakes to pay the second instalment of Rs.2,45,000/- (Rupees two lakhs forty five thousand

only) on or before 14.10.2017. The appellant also agrees to receive the same.

3. In view of the compromise entered into between the parties, we are of the opinion that the civil miscellaneous appeal can be disposed of by recording the joint memo of compromise. Accordingly, the civil miscellaneous appeal is disposed of by recording the joint memo of compromise. The joint memo of compromise shall form part of the judgment. No costs. The III Additional Family Court, Chennai is directed to dispose of the Original Petition in O.P.No.3619 of 2011 within a period of four months from the date of receipt of a copy of this order. Consequently, connected CMP is closed.

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

sr

To

1. The III Additional Family Court,
Chennai.

2. The Section Officer
V.R Section
High Court, Madras.

+1 CC to Mr.S. Parthasarathy, Advocate sr 49452.

सत्यमेव जयते

C.M.A.No.1388 of 2017

SR(CO)
sp(07/08/2017)

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