

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE M.S.RAMESH

C.M.A.No.2561 of 2012

S.Karthikeyan Appellant

Vs.

Ramya Respondent

Prayer: Civil Miscellaneous Appeal has been filed under Section 19 of the Family Courts Act, 1984 against the order dated 04.07.2012 in M.O.P.No.10 of 2012, passed by the Family Court at Puducherry.

For Appellant : Mr.Y.Jyothish Chander

For Respondent : Mr.S.Saravanan

* * * * *

JUDGMENT

(Judgment of the Court was delivered by R.Subbiah, J.)

The appeal has been filed challenging the order dated 04.07.2012 in M.O.P.No.10 of 2012 passed by the Family Court at Puducherry.

2.The appellant is the husband and the respondent is the wife. The appellant had filed M.O.P.No.10 of 2012 before the Family Court at Puducherry, under Section 13(1-A)(ii) of the Hindu Marriage Act, 1955, praying to dissolve the marriage solemnized between the appellant and the respondent on 07.09.2007, on the ground of continuous desertion. The said MOP was dismissed by the Court below by order dated 04.07.2012. Aggrieved over the same, the present appeal has been filed by the husband.

3.When the matter came up before this court on 04.04.2017, on the requestion made on either side, the matter was referred to the Tamil Nadu Mediation and Conciliation Centre to arrive at an amicable settlement among the parties.

4.Today, when the matter is taken up, it is reported that in the medication conducted on 05.06.2017, it was agreed between the parties to settle the disputes amicably and both parties agreed for dissolution of their marriage solemnized on 07.09.2007. The terms and conditions of the settlement entered into between the parties are as follows_

"1.Both parties settled the disputes amicably between them and both agree for dissolution of their marriage solemnized on 07.09.2007 at Jayaram Thirumana Mandapam at Puducherry by appropriate proceedings.

2.The appellant paid a sum of Rs.28 lakhs to the respondent/wife as full and final settlement as permanent alimony towards respondent and child. Respondent acknowledged receipt of the same through three Demand Drafts for Rs.9,50,000/- in number 210602, Rs.9,00,000/- in number 210603 and Rs.9,50,000/- in number 210604, all dated 03.06.2017 in the name of K.Ramya Viz., the respondent herein, drawn in State Bank of India, Puducherry Branch Port Town.

3.The respondent agrees to deposit Rs.15,00,000/- of the said amount in the name of the child till the child attains majority or to invest in immovable property in the name of minor child K.Hiranmaiye.

4.In case of deposit, the respondent shall withdraw the interest and utilise it for the welfare of the child.

5.All the silver articles of the respondent is returned today. The receipt of them as per list is acknowledged by the respondent.

6.Both parties agreed that they have no more claims against each other in future."

5.In view of the above Agreement arrived at between the parties, the impugned judgment and decree are set aside and the appeal is allowed and the marriage took place on 07.09.2007 between the appellant and the respondent is dissolved. The said Agreement shall form part of the order. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

SSV

To,

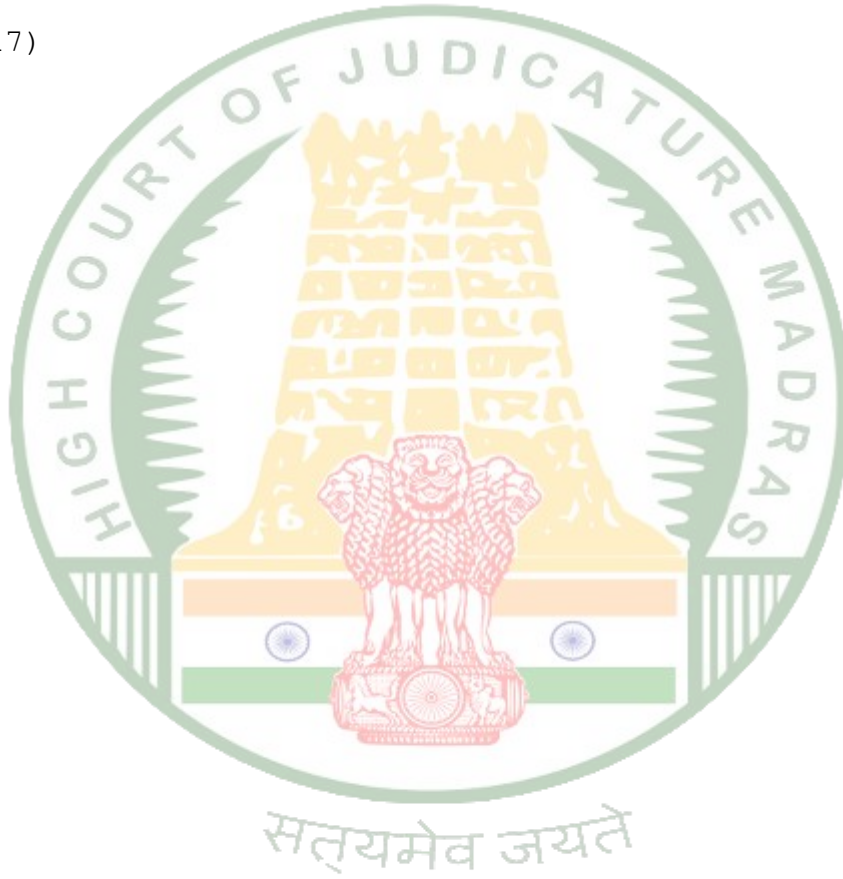
The Family Court, Puducherry.
(Enclosed Mediation Agreement)

+2cc to Mr.Y.Jyothish Chander,Advocate sr.41232

+1cc to Mr.S.Saravanan,Advocate sr.41464

C.M.A.No.2561 of 2012

vsn(co)
ss(4/7/2017)



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