



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

C.M.A. (MD) No.1105 of 2016

M.Karthi Rajan ... Appellant / Petitioner

/Vs./

R.Kavitha ... Respondent / Respondent

Prayer: Civil Miscellaneous Appeal - filed under Section 19 of the Hindu Marriage Act to set aside the fair and decreetal order dated 12.04.2016 made in H.M.O.P.No.329 of 2014, on the file of the Family Court, Madurai.

For Appellant : Mr.K.K.Senthil
For Respondent : Mr.S.Chandra Sekaran

JUDGMENT

(Judgment of this Court was made by K.KALYANASUNDARAM, J.)

The civil miscellaneous appeal has been filed to set aside the fair and decreetal order dated 12.04.2016 made in H.M.O.P.No.329 of 2014, on the file of the Family Court, Madurai.

2. Heard Mr.K.K.Senthil, learned counsel for the appellant and Mr.S.Chandra Sekar, learned counsel for the respondent and perused the records.

3. Both parties are present before this Court along with their respective counsel.

4. It is represented by the learned counsel on both sides that the dispute between the parties have been amicably settled before the Mediator and they have filed a joint compromise memo dated 11.12.2017 signed by both parties, counsel on both sides and the mediator before this Court.

5. Joint compromise memo is extracted as follows:

"(i) The appellant / husband and the respondent / wife hereby declare their free consent to pass a 'decree of divorce' dissolving the marriage solemnized between the appellant / husband and the respondent / wife on 15.05.2013 at Baratha Perunthalaivar Kamarajar Aranilayam, Theppakulam, Madurai.



(ii) The appellant / husband hereby declares that the appellant / husband had handed over all 'Sridhana' properties including Jewelleries, Household utensils, etc., to the respondent/wife and no other property either movable or immovable or liquid assets or documents of any nature is in the custody of the respondent / wife is held with the appellant / husband.

(iii) The respondent / wife hereby declares that she is not possessed with any of the properties of the appellant / husband either movable or immovable or liquid assets or documents of any nature and as such both the parties have mutually exchanged all their belongings to each other including the sacred 'thali' to the appellant / husband."

(iv) The appellant / husband hereby declares that the appellant / husband is willing to relinquish all his rights of maintenance or any other claim in future as against the respondent / wife.

(v) The respondent / wife hereby declares that the respondent / wife is willing to relinquish all her rights of maintenance or any other claim in future as against the appellant / husband.

(vi) The respondent / wife hereby receives a sum of Rs.4,00,000/- (Rupees Four Lakhs only) vide Demand Draft No.595371 dated 08.12.2017 drawn on State Bank of India, Veerapanjan Branch, Madurai towards 'Life Time Maintenance' and also towards the expenditure spent at the time of solemnization of marriage.

(vii) The appellant / husband and the respondent / wife are at liberty to proceed with second marriage according to their own wishes and whims and fancies."

6. In view of the above, the Civil Miscellaneous Appeal is disposed of in terms of Joint compromise memo and the joint compromise memo shall form part of the decree. No costs.

Sd/-

Assistant Registrar (ADII)

/True Copy/

Sub-Assistant Registrar

To

The Judge, Family Court, Madurai.

Copy to: The Section Officer, V.R. Section,

Madurai Bench of Madras High Court, Madurai

+One cc to Mr.K.K.Senthil, Advocate, SR.No.93872

+One cc to Mr.Chandrasekar, Advocate, SR.No.93616

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RL/6C/2P/SV/MMS/SAR1/18/1/2018