



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2017

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANUC.M.A(MD)No.123 of 2017
and C.M.P(MD)No.1286 of 2017

M.Antony Lourdhu Vimal

... Appellant/Petitioner

Vs.

Antony Jenifer

... Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act, 1869, to set aside the Judgment and decree dated 19.09.2016 passed in I.D.O.P.No.77 of 2015, on the file of the learned IV-Additional District Judge, Tirunelveli.

For Appellant

: Mr.R.Saravanan

For Respondent

: Ms.K.Mahalakshmi

J U D G M E N T

When the appeal is taken up for hearing today, it is submitted that during the pendency of this appeal, the matter has been compromised between the parties and they have filed a joint compromise memo dated 03.08.2017.

2. The terms mentioned in the compromise memo is extracted hereunder:

"Both the parties agree to settle the issue on condition that the appellant herein shall pay a sum of Rs.11,00,000/- as one time measure, the respondent herein is also ready and willing to accept the same so that she will not claim any amount or any right over the appellant, movable or immovable properties etc.

The appellant had taken 4 Demand Drafts in favour of the respondent herein in the Tamil Nadu Mercantile Bank, T.Kallikulam which are as follows:

1.D.D.No.230751 dated 28.07.2017 Rs.2,00,000/-

2.D.D.No.230752 dated 28.07.2017 Rs.2,00,000/-

3.D.D.No.230754 dated 29.07.2017 Rs.1,00,000/-

4.D.D.No.230755 dated 29.07.2017 Rs.1,00,000/-

And a cash in hand for a sum of Rs.5,00,000/-

<https://hcservices.ecourts.gov.in/hcservices/> Total

Rs.11,00,000/- "



3. Recording the said compromise memo, the Civil Miscellaneous Appeal is allowed as prayed for by setting aside the order of dismissal of divorce petition made in I.D.O.P.No.77 of 2015, on the file of the learned IV-Additional District Judge, Tirunelveli for dissolving the marriage that took place between this appellant and the respondent held on 07.11.2011. The compromise memo filed by the parties shall form part of the record. No costs. Consequently, connected C.M.P. (MD) No. 1286 of 2017 is also closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub-Assistant Registrar

(*) COMPROMISE MEMO XEROX COPY IS ENCLOSED HEREWITH

To

The IV Additional District Judge,
Tirunelveli.

+One cc to M/s.K.Mahalakshmi, Advocate, SR.No.70514

+One cc to Mr.R.Saravanan, Advocate, SR.No.70286

CM

RL/4C/2P/SV/MMS/SAR1/27/9/2017

C.M.A (MD) No.123 of 2017
and C.M.P (MD) No.1286 of 2017

03.08.2017