



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2017

CORAM

WEB COPY

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

C.M.A. (MD) Nos.310 and 311 of 2017
and
C.M.P. (MD) Nos.6938 and 3639 of 2017

Madasamy

... Appellant / Petitioner

/Vs./

(in both appeals)

V.subbulakshmi

...Respondent /Respondent

Common Prayer: Civil Miscellaneous Appeals - filed under Section 28 of the Hindu Marriage Act, 1955 to allow the appeals and set aside the common fair and decreetal order dated 20.12.2016 made in H.M.O.P.Nos.198 and 254 of 2016, on the file of the Family Court, Tirunelveli.

For Appellant : Mr.A.Saravanan

For Respondent : Mr.S.Lenin Prabu
(in both appeals)

COMMON JUDGMENT

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

The civil miscellaneous appeals have been filed to set aside the common fair and decreetal order dated 20.12.2016 made in H.M.O.P.Nos.198 and 254 of 2016, on the file of the Family Court, Tirunelveli.

2. Heard Mr.A.Saravanan, learned counsel for the appellant and Mr.S.Lenin Prabu, learned counsel for the respondent and perused the records.

3. 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 / mediation report signed by both parties, counsel on both sides and the mediator.



4. It is further submitted that a joint compromise memo / mediation report was also filed before this Court.

5. Joint compromise memo / mediation agreement is extracted as follows:

"The appellant has agreed to pay sum of Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand only) as permanent alimony to the respondent and also agreed to return all the house hold articles and in compliance of the same, the respondent has consented for passing a decree for divorce in favour of the appellant.

2. As per the compromise arrived between the parties, the respondent received all her house hold articles and Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand only) as permanent alimony.

3. The respondent has consented to withdraw the maintenance case filed by her before the Family Court, Tirunelveli in E.P.No.5 of 2017 in H.M.O.P.No.254 of 2016.

4. Respondent has consented for allowing both CMA(MD) Nos.310 and 311 of 2017 and she has no objection for granting divorce in CMA(MD)No.310 of 2017 before this Court.

5. Both parties hereby agreed that there will not be any further claim against each other in future."

6. In view of the above, the Civil Miscellaneous Appeals are disposed of in terms of Joint compromise memo and the joint compromise memo shall form part of the decree. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To
The Judge, The Family Court, Tirunelveli.

Copy to:-

The Record Keeper, V.R.Section, (2 copies)
Madurai Bench of Madras High Court, Madurai

+One cc to Mr.A.Saravanan, Advocate, SR.No.93981

sm

RL/5C/2P/KK/SAR1/23/2/2018

C.M.A. (MD) Nos.310 and 311 of 2017