



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

and

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

C.M.A. (MD) No. 185 of 2016

M.P. Regunathan

... Appellant/Petitioner

Vs.

A. Sudanthira Devi

... Respondent/Respondent

PRAYER: The Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act against the fair and decretal order dated 26.03.2014 passed in H.M.O.P.No.62 of 2005 on the file of the Family Court, Madurai.

For Appellant : Mr. H. Lakshmi Shankar

For Respondent : Mr. R. Santharam

J U D G E M E N T

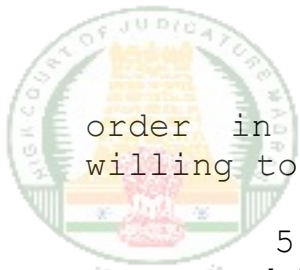
[Order of the Court was made by **M. SATHYANARAYANAN, J.**]

By consent, this Civil Miscellaneous Appeal is taken up for final disposal. The appellant is the husband of the respondent. H.M.O.P.No.62 of 2005 filed for divorce came to be dismissed by the Family Court, Madurai. Challenging the same, this appeal has been filed.

2. When the matter has been listed for admission, compromise proposal has been mooted and the matter was referred to Tamilnadu Mediation and Conciliation Centre attached to this Bench and after mutual discussion and negotiation, compromise has been arrived and the same has been reduced into writing.

3. Accordingly, a joint compromise memo dated 25.10.2016 was filed and in the light of the same, the appeal is to be allowed. As per the compromise, a complaint in Crime NO.16 of 2016 given by the respondent/wife on the file of the All Women Police Station, Nilakkottai is to be withdrawn and in that event, they may not have any objection to enable the respondent to withdraw a sum of Rs.3 lakhs deposited by way of Demand Draft, which is in the custody of the Mediation Centre.

4. The learned counsel appearing for the respondent would submit that once this Court accepts the compromise memo and pass



order in Civil Miscellaneous Appeal, jurisdictional police is willing to close the complaint in Crime No.16 of 2016.

5. The relevant portion of the compromise memo is extracted hereunder:

"The respondent hereby undertakes to withdraw the complaint filed by her as against the appellant, on the file of the All Women Police Station, Nilakkottai registered as Crime No.16 of 2016 within a week from today"

6. In the light of the submissions made, the joint compromise memo dated 25.10.2016 is taken on file and record.

7. In fine, the Civil Miscellaneous Appeal is allowed. No costs. There shall be judgment and decree of divorce granting in favour of the appellant and the marriage between the appellant and the respondent is dissolved. The joint Memo of compromise memo shall form part of this order.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

Encl.: The Xerox copy of Joint Memo of Compromise

To
The Judge, Family Court,
Madurai.

+1 cc to Mr.K.SANTHANAM, Advocate, SR 67163

+1 cc to Mr.H.LAKSHMI SHANKAR, Advocate, SR 67326

Copy to:
The Section Officer,
Accounts Section,
Madurai Bench of Madras High Court,
Madurai.

C.M.A. (MD) No.185 of 2016
09.11.2016

CM
SH/SS-3/SAR-1:11.11.2016:2P/5C