



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **28.04.2017**
CORAM:

THE HONOURABLE Mr.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE Mr.JUSTICE N.SESHASAYEE

C.M.A(MD)No.993 of 2016
and
C.M.P. (MD) .No.8913 of 2016

R.Nageswari ... Appellant/Respondent/wife

Vs.

R.N.A.Raja Narayanan ... Respondent/Petitioner/Husband

PRAYER: Civil Miscellaneous Appeal is filed under Section 19 of Hindu Marriage Act, against the order and decree dated 23.06.2014 in H.M.O.P.No.97 of 2011 on the file of the Family Court Judge, Madurai.

For Appellant : Mr.C.S.Ravichandran

For Respondent : Mr.M.Karthikeya Venkatachalapathy

J U D G M E N T

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

The Civil Miscellaneous Appeal is filed against the fair and executable order dated 23.06.2014 in H.M.O.P.No.97 of 2011 on the file of the Family Court Judge, Madurai.

2. When the matter came up for hearing before us, on 13.04.2017, we directed the parties to be present as we found that there was some matrimonial discard quite a long number of years. Subsequently, when the parties appeared before us, we referred the matter to the Mediation and Conciliation Centre by passing the following order, dated 21.04.2017.

"1. Heard the learned counsel appearing for the parties and perused the materials placed on record.

2. The appellant as well as the respondent were present before us.

3. The appellant has challenged the decree of divorce granted in H.M.O.P.No.97 of 2012 on the file of the Family Court, Madurai.



4. After discussion with both the appellant and respondent it appears that the appellant is fully aware that at this distance of time, the respondent cannot be compelled to come and live with him. But her concern is about her daughter Kalaimahal Meena, who is now studying 9th standard.

5. We have counselled the respondent and as long as the respondent is not compelled to go and live with the appellant, he is ready and willing to give all supports to Kalaimahal Meena as a father and take care of her.

6. Thus, in the light of the broad agreements between the parties, we refer the matter for mediation, so that the agreement can be recorded in writing and other minor issues can also be brought in before the mediators and resolve it once for all.

7. Registry is directed to place the matter before the Mediation and Conciliation Centre at 2.15 p.m, today."

3. The mediation has turned out successfully and the parties have agreed and the terms of agreement have been recorded. The agreement shall form part of the record in this proceedings and the Civil Miscellaneous Appeal shall stand disposed of accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

4. In the event of default committed by any one of the parties, the other parties to file an application for restoration of the appeal and the matter will be heard on merits.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

The Judge,
Family Court, Madurai.

Akv/km
AE/SKN/SAR4/01.06.2017/2P/2C