

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 14.03.2017

CORAM:

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI**C.M.S.A. (MD) No.47 of 2013**

Rajkumar ... Appellant/Appellant/Petitioner/
Husband

Vs.

Sangeetha ... Respondent/Respondent/Respondent/
Wife

PRAYER: Appeal filed under Section 28 of the Hindu Marriage Act r/w Section 100 of Civil Procedure Code, against the decree and judgment, dated 08.07.2013 rendered in H.M.C.M.A.No.1 of 2013 on the file of the Fourth Additional District Judge, Madurai, confirming the decree and judgment, dated 06.10.2012 rendered in H.M.O.P.No.447 of 2010, on the file of the Third Additional Subordinate Judge, Madurai.

For Appellant : M/s. Stella Rajkumar

For Respondent : No appearance

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JUDGMENT

The appellant has filed this appeal against the judgment and decree, dated 08.07.2013 made in H.M.C.M.A.No.1 of 2013 passed by the IV Additional District Judge, Madurai, confirming the decree and judgment, dated 06.10.2012 made in H.M.O.P.No.447 of 2010, on the file of the Third Additional Subordinate Judge, Madurai.

2.Heard the learned counsel appearing for the appellant.

3.Earlier, this Court, by the order dated 17.11.2016 referred this matter to the Mediation and Conciliation Centre attached to this Bench for settlement.

4.Today, when the matter is taken up for hearing, it is represented that the matter has been amicably settled before the Mediation and Conciliation Centre attached to this Bench and a report is filed to that effect.



5.A perusal of the said report would reveal that both appellant and the respondent appeared and signed before the Mediator and the learned counsel for both sides also counter-signed in the Mediation Report. The Report dated 23.02.2017 is extracted hereunder:-

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"Both the Petitioner Rajkumar along with his counsel and the Respondent Sangeetha are present before the Mediation centre today.

Both the parties settled the matter amicably as

- 1.Both the parties have agreed for mutual divorce.
- 2.Respondent Sangeetha informed that she has withdrawn the M.C.No.147/2014 which was pending before the Hon'ble Family Court, Madurai.
- 3.Respondent Sangeetha has given consent to allow the CMSA (MD)No.47/2013 which is pending before the Hon'ble Madurai Bench of Madras High Court. On her promise the Petitioner/Husband Rajkumar has agreed to give the Demand Draft bearing No.465775 dated 18.01.2017, State Bank of India, Gopalapuram, Chennai for sum of Rs.5,00,000/- (Rupees five lakhs only) as a permanent and final alimony to the Respondent/Wife Sangeetha and she agreed for the above said settlement and received the Demand Draft which is mentioned above before the Mediation Centre.
- 4.There is no further claims between the parties.

In view of the above said settlement the case is settled.

Petitioner/Husband
(Rajkumar)

Respondent/Wife
(Sangeetha)

Counsel for Petitioner "

6.Recording the above said report, this Civil Miscellaneous Second Appeal is closed. The said Report, dated 23.02.2017 shall form part of this Judgment. Consequently, connected miscellaneous petition is also closed. No costs.

Sd/-

Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar

To

<https://hccs.ecourt.gov.in/> The Additional District Judge,
Madurai.



2.The III Additional Subordinate Judge,
Madurai.

3.The Record Keeper,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

+1 cc to MR.Stella Rajkumar , Advocate in SR.No. 14373

Am

AE/JC/20.04.2017/3P/5C

C.M.S.A. (MD) No.47 of 2013
14.03.2017