

IN THE HIGH COURT OF JUDICATE AT MADRAS

DATE : 19.06.2018

CORUM

THE HON'BLE MR.JUSTICE R.SUBBIAH

and

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.1014 of 2018

D.Velmurugan

... Appellant/Petitioner

Vs.

P.Narmatha

... Respondent/Respondent

Civil Miscellaneous Appeal has been filed under Section 19 of the Family Courts Act against the fair and final order passed in H.M.O.P.No.529 of 2014 on the file of Family Court, Erode, dated 06.06.2017.

For Appellant : Mr.A.Sundaravadhanan

For Respondent : Mr.R.Vijayakumar

JUDGMENT

(Judgment of the Court was delivered by R.SUBBIAH, J.,)

This appeal has been filed by the appellant /husband against the respondent/wife, against the order dated 06.06.2017 passed in H.M.O.P.No.529 of 2014 on the file of Family Court, Erode.

2. The marriage between the appellant/husband and the respondent/wife was solemnized on 12.12.2005 as per Hindu rites and customs. Subsequently, due to matrimonial dispute, the appellant/husband has filed a petition in H.M.O.P.No.529 of 2014 before the Family Court at Erode, under Section 13(1)(ia) of the Hindu Marriage Act, seeking to grant divorce. But, the said Original Petition was dismissed by the Family Court Judge at Erode, by order dated 06.06.2017. Aggrieved over the same, the present appeal has been filed by the appellant.

3. Today, when the matter is taken up, both the parties appeared along with their respective counsels and they filed a joint memo of compromise dated 19.06.2018 stating that when the condone delay petition was pending before this Court in

C.M.P.No.17187/2017 in CMA.SR.No.74548 of 2017, the other cases pending between the parties was referred to Lok Adalat, Erode, in Lok Adalat case No.18 of 2017 corresponding to the case in C.C.No.143 of 2014 on the file of Judicial Magistrate No.II, Erode. In the Lok Adalat, it is agreed between the parties to settle all the issues pending in various courts. The settlement arrived between the parties was recorded before the National Lok Adalat on 09.12.2017. The certified copy of the Memo of Settlement made in Lok Adalat case No.18 of 2017 along with the joint memo of compromise was also produced before this Court. Hence, they pray to record the compromise and to grant divorce. The above said statement made by the appellant and the respondent is hereby recorded.

4. We have perused the joint memo of compromise as well as the Memo of Settlement recorded before the National Lok Adalat. Both the parties as well as their respective counsels have signed in the Joint Memo of Compromise dated 19.06.2018.

5. In view of the Settlement entered into between the parties before the National Lok Adalat, dated 09.12.2017, and the joint memo of compromise, dated 19.06.2018, filed by the parties, this Civil Miscellaneous Appeal is allowed and the order made in H.M.O.P.No.529 of 2014, passed by Family Court Judge, Erode, is set aside. The marriage between the appellant and the respondent solemnized on 12.12.2005 is dissolved. No costs.

*The Xerox Copy of Memo of Compromise is enclosed

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vsi
To,

The Family Court Judge,
Erode.

+2cc to M/S.A.Sundaravadhanan, Advocate Sr.38803

C.M.A.No.1014 of 2018

rk[co]
srg 19/07/2018