

IN THE HIGH COURT OF JUDICATE AT MADRAS

DATE : 14.06.2018

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THE HON'BLE MR.JUSTICE R.SUBBIAH

and

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.M.A.No.2394 of 2016

N.Chandran ... Appellant

Vs.

V.Arunadevi ... Respondent

Civil Miscellaneous Appeal has been filed under Section 19 of the Family Courts Act against the decree and order dated 12.08.2015 in H.M.O.P.No.92 of 2014 passed by the Family Court at Vellore.

For Appellant : Mr.V.Neethidurai

For Respondent : Mrs.V.Arunadevi (respondent-in-person)

JUDGMENT

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

The marriage between the appellant/husband and the respondent/wife was solemnized on 17.02.2010 as per Hindu rites and customs at Kannamangalam in Arani. The said marriage was an arranged marriage by the elders of both families. Out of the wedlock, a male child was born on 11.02.2011. Subsequently, due to matrimonial disputes, the appellant/husband has filed a petition under Section 13(1)(i-a) of the Hindu Marriage Act, which was taken on file as O.P.No.92 of 2014 on the file of the Family Court at Vellore. But, the said OP was dismissed by the Family Court at Vellore by order dated 12.08.2015. Aggrieved over the same, the present appeal has been filed by the appellant/husband.

2.When the matter was taken up on 06.06.2018 for consideration, both the parties appeared in Court along with

their respective counsel and they sought time to arrive at an amicable settlement. Hence, the matter was referred to Mediation and Conciliation Centre attached to this Court.

3.Today, when the matter is taken up, both the parties appeared before this Court. They represented that the matter has been amicably settled between them in the Mediation Centre and they also filed a mediation agreement entered between them. As per the agreement, the respondent/wife has agreed for giving divorce on the terms and conditions in the agreement, which read as follows_

"1.Both husband (appellant) and wife (respondent) are willing to part from each other and are therefore willing for a divorce decree as they have been living separately for the past over 8 years.

2.Their son master ISHANTH, aged about 8 years in presently being brought up by the wife.

3.The husband (appellant) hereby agrees to pay the Educational fees annually in advance directly to the school for the minor son ISHANTH (including transportation, tuition, books etc.,).

4.The husband (appellant) further agrees to deposit a sum of Rs.2,000/- per month in the Public Provident Fund Account (PPF) to be opened in the name of the minor master ISHANTH, by the mother as his guardian. In case of any unexpected Medical expenses to be incurred on account of Master ISHANTH, the husband shall pay the entire amount.

5.The husband (appellant) shall not interfere in the personal life of the wife (respondent), similarly the wife (respondent) shall not interfere with the personal life of the husband (appellant).

6.The issue of the custody of minor son master ISHANTH is not the subject matter in this litigation. In case the husband (appellant) is interested he is at liberty to take appropriate steps in accordance with law by applying before the appropriate forum."

4.Recording the above said agreement/compromise, this appeal is allowed in terms of the agreement/compromise and the impugned order dated 21.08.2015 in O.P.No.92 of 2014 passed by the Family Court at Vellore is set aside. The marriage between the appellant and the respondent solemnized on 17.02.2010 is hereby dissolved and a decree of divorce is

granted. The agreement/compromise shall form part of this judgment.

No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

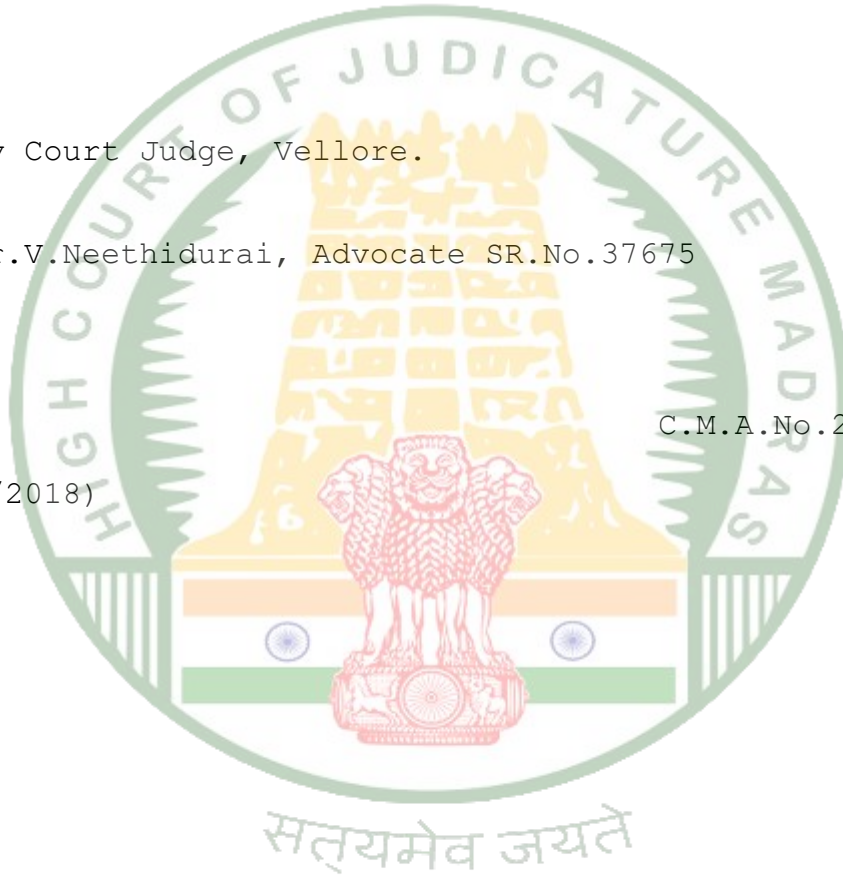
ssv
To

The Family Court Judge, Vellore.

+2cc to Mr.V.Neethidurai, Advocate SR.No.37675

C.M.A.No.2394 of 2016

GMV (10/10/2018)



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