

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.10.2018
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI
Crl.R.C.No.911 of 2018

P.Jeyachandar ... Petitioner/Respondent

Vs.

V.Suganya ... Respondent/Petitioner

Prayer:

Criminal Revision Case filed under Sections 397 r/w 401 of the Criminal Procedure Code seeking to call for the entire records of the order made in M.C.No.144 of 2017 on the file of the Additional Principal Judge, Family Court, Coimbatore, dated 16.04.2018 and thereby set aside the same.

For Petitioner : Mr.Peter Gunasekar

For Respondent : Mr.N.Ishtiag Ahmed

O R D E R

Challenging the order passed by the Additional Principal Judge, Family Court, Coimbatore, dated 16.04.2018, the present revision has been filed before this Court.

2.The case of the petitioner is that the marriage between the petitioner and the respondent was solemnized on 01.12.2014 at Selvalakshmi Marriage Hall, Tiruparankundram Sannadhi Street, as per Hindu rites and customs. Due to non-compatibility and difference of opinion, the respondent herein filed a petition in HMOP No.23 of 2016 on the file of the Principal Family Court, Coimbatore, seeking divorce. The lower Court, on 31.05.2016, allowed the petition and granted divorce in favour of the respondent. Subsequently, on 08.05.2017, the respondent/wife filed a maintenance petition in M.C.No.144 of 2017 under Section 125 of Cr.P.C. before the Additional Family Court, Coimbatore, claiming a sum of Rs.30,000/- as monthly maintenance. The lower Court dated 16.04.2018, had awarded a sum of Rs.6,000/- p.m. and the petitioner/husband was directed to pay monthly maintenance of Rs.6,000/- to the respondent on or before 5th of every English Calendar month. As against the order of the lower Court, the present revision petition has been filed.

3.The learned counsel for the petitioner submitted that during the pendency of this revision, the petitioner and the respondent have arrived at a compromise and settled the entire

issues. To that extent, a Joint Compromise Memo dated 25.10.2018, duly signed by the petitioner and the respondent as well as by the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent has also been filed by the parties and the relevant portion of the same reads as follows :

"4.Pending the above Criminal Revision Petition, the parties were derious of settling the issues amicably and part ways under the terms of compromise set out as follows:

[a] The Petitioner has by way of one time settlement agreed to give a sum of Rs.5,00,000/- (RUPEES: Five Lakhs Only) including a sum of Rs.1,00,000/= (RUPEES: One Lakh Only) admittedly paid through the Petitioner's maternal uncle-Mr.Mahadevan to the Respondent's mother's sister in the name of the Respondent by way of a Cheque bearing No.282726 drawn on State Bank of India, Anna Nagar, Chennai, dated 26.12.2016, and Rs.90,000/= (RUPEES: Ninety Thousand Only) paid as per the directions of this Hon'ble Court in the above Crl.R.C., The Petitioner has now agreed to pay the balance sum of Rs.310000 (Rupees Three Lakhs and Ten thousand only) as one time settlement towards permanent Alimony to the respondent.

(b) The Respondent has undertaken that she shall not claim any maintenance in future. Further she undertakes and declares that she will not initiate any other proceedings in respect of maintenance and also in respect of Matrimonial dispute or properties under any Law in future. On this day Respondent has agreed to receive a sum of Rs.3,10,000/- (RUPEES: Three Lakhs and Ten Thousand Only) from the Petitioner by way of Demand Draft drawn on State Bank of India, Anna Nagar branch, Chennai 600 040 in D.D.No.205955 dated 24.10.2018 towards permanent Alimony with full satisfaction. The respondent once again undertakes that she will not file any Petition to claim maintenance for the present and for the future from the Petitioner.

(c)The respondent has received a total sum of Rs.500000 (Rs.Five lakhs) with full satisfaction towards permanent Alimony."

4. In terms of the Joint Compromise memo filed by both parties, this revision petition is disposed of and the said Joint Memorandum of Compromise filed by the petitioner and the respondent dated 25.10.2018, shall form part of the record.

* Enclosed xerox copy of the Joint Memorandum of Compromise

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Principal Judge,
Family Court,
Coimbatore,

2.The Public Prosecutor,
High Court of Madras,
Chennai.

+1cc to Mr.K.A.Ravindran, Advocate, S.R.No.73239

+1cc to Mr.N.Ishtiaq, Advocate, S.R.No.73443

Crl.R.C.No.911 of 2018

SSD(CO)

rrs 06/12/2018

सत्यमेव जयते

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