



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
and
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

C.M.A. (MD) .No.842 of 2017
and
C.M.P. (MD) .No.8977 of 2017

S.Vadivel ... Appellant/Respondent

Vs.

A.Dhanalakshmi ... Respondent/Petitioner

Prayer: The Civil Miscellaneous Appeal is filed under Section 19 of Family Court Act, against the order dated 14.02.2017 passed in G.W.O.P.No.5 of 2015 on the file of the Family Court, Dindigul.

For Appellant : Mr.G.Prabhu Rajadurai
For Respondent : Mr.V.Karuna

JUDGMENT

(Judgment of the Court was delivered by T.KRISHNAVALLI,J.)

The Civil Miscellaneous Appeal is filed by the respondent/husband against the order passed by the Family Court, Dindigul in G.W.O.P.No.5 of 2015, dated 14.02.2017.

2. When the matter is taken up for hearing today, a Memo of Compromise dated 06.07.2018 is filed, signed by both parties as well as their respective counsels. The terms of the Memo of Compromise read as follows:

MEMO OF COMPROMISE

The appellant and the respondent have compromised the dispute between them, which is the subject matter of the above appeal and the terms of the compromise as stated as under:-

<https://hcservices.ecourts.gov.in/hcservices/>

1. The respondent agrees that the appellant shall be the guardian of the person and the property of the minor



Dhashvanth as his father.

2. The respondent agrees that the appellant shall have the physical custody of minor Dhasvanth.

3. The appellant agrees to take care of his minor son Dhasvanth and to provide him good education, food and shelter to the best of his financial ability.

4. The appellate agrees to submit for decree of divorce of the marriage between the appellant and the respondent. Accordingly, the parties will seek for a decree of divorce on mutual consent in the petition for divorce filed by the respondent in H.M.O.P.No.56/2017 pending on the file of Subordinate Judge, Dindigul.

5. The appellant agrees to withdraw his petition for restitution of conjugal rights in H.M.O.P.No.27 of 2017 on the file of Sub Judge, Dindigul.

6. The respondent agrees that she will not claim any maintenance or compensation or other claims from the appellant and the respondent acquits the appellant from all claims of compensation or domestic right.

7. The appellant and the respondent on the grant of decree of divorce by mutual consents will seek a life of their own without interference with each other.

8. The parties will bear their cost.

The parties pray that the order dated 14.02.2017 passed in G.W.O.P.No.05/2015 by Family Court, Dindigul be set aside and allowed the above appeal in C.M.A.No.842 of 2017 in the above terms.

Dated at Madurai on this 06th day of July, 2018

Appellant

Respondent

Counsel for Appellant

Counsel for Respondent

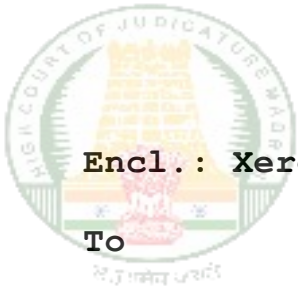
3. The appellant as well as the respondent are personally present before this Court and submitted that these Civil Miscellaneous Appeal may be disposed of in terms of the above Memo of Compromise.

4. Considering the above stated facts and circumstances and the Memo of Compromise filed by the respective parties, the Civil Miscellaneous Appeal is disposed of, in terms of the above said Memo of Compromise, which shall form part of the records and decree. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

/True Copy/



Encl.: Xerox copy of Compromise Memo

To

The Judge, Family Court,
Dindigul.

Copy To:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 1 CC TO Mr.V.KARUNA, ADVOCATE IN SR No. 71722

AKV

TE/PM/SAR-2 : 16/10/2018 : 3P/5C

C.M.A. (MD) .No.842 of 2017
06.07.2018