



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.03.2018

CORAM:

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA
AND
THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI

C.M.A.(MD) Nos.112 and 113 of 2018
and C.M.P(MD) No.1703 of 2018

Mannickkam @ Venkat .. Petitioner/Appellant
in both petitions/Respondent/Petitioner

-vs-

V.Sethukarasi @ Keerthi ... Respondent/Respondent
in both petitions/Petitioner/Respondent

Prayer in CMA(MD)112/2018: Appeal filed under Section 19 of the Family Courts Act, 1984 to set aside the fair and decreetal order of the Family Court at Trichirapalli dated 23.10.2017 in HMOP No.836 of 2014 and pass such further or further orders as deemed fit and proper in the circumstances of the case and thus render justice.

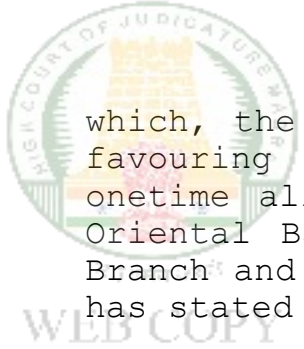
Prayer in CMA(MD)113/2018: Appeal filed under Section 19 of the Family Courts Act, 1984 to set aside the fair and decreetal order of the Family Court at Trichirapalli dated 23.10.2017 in HMOP No.389 of 2015 and pass such further or further orders as deemed fit and proper in the circumstances of the case and thus render justice.

For appellant : Mr.P.Thiagarajan
For respondent : Mr.S.Michael Heldon Kumar

COMMON JUDGMENT

The Family Court, Trichy, by order dated 23.10.2017, had dismissed the petition filed by the husband/petitioner herein in HMOP No.389 of 2015, seeking divorce and allowed the petition filed by the wife / respondent herein in HMOP No.836 of 2014, seeking restitution of conjugal rights. Challenging the said judgment and decree, the husband has filed these appeals.

2. When the appeals were taken up for hearing, both the parties, who are present before this Court in person, have stated that they have entered into a compromise and the said compromise is true, voluntary and not out of any coercion or compulsion on the part of any of the parties. A joint memo of compromise dated 08.03.2018 has been filed before this Court, as per the terms of



which, the husband has paid a sum of Rs.50,00,000/- (Rs.10,00,000/- favouring the wife and Rs.40,00,000/- favouring his child) as onetime alimony by way of Demand Drafts dated 05.03.2018 drawn on Oriental Bank of Commerce, Esplanade Branch, Axis Bank, Mogappair Branch and City Union Bank, Mogappair Branch. The wife / respondent has stated that she is prepared to submit to the decree of divorce.

3. In view of the above submission and recording the joint compromise memo, both these Civil Miscellaneous Appeals are allowed as per the terms enunciated in the compromise memo and decree of divorce is granted in favour of the husband/petitioner herein and the petition filed by the wife in HMOP No.836 of 2014 for restitution of conjugal rights stands dismissed. The compromise memo dated 08.03.2018 shall form part of this common judgment. Consequently, connected miscellaneous petition is closed. No costs.

The decree of divorce granted shall be treated as the decree granted by mutual consent.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

Encl.: Xerox copy of Compromise Memo

To:

The Judge, Family Court,
Trichirapalli.

Copy To:-

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

+ 1 CC TO Mr.S.MICHEAL HELDON KUMAR, ADVOCATE IN SR No. 54284
+ 1 CC TO Mr.V.P.VALLIAPPAN, ADVOCATE IN SR No. 54285

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TE/SKN-RSK/SAR-2 : 14/03/2018 : 2P/6C

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