



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

WEB COPY

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

C.M.A(MD)Nos.186 and 591 of 2018
and
C.M.P(MD)Nos.6849 and 2800 of 2018

Rajaraman : Appellant in both appeals

.vs.

Ramya : Respondent in both appeals

PRAYER in CMA (MD)No.186 of 2018: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Courts Act, 1984 against the judgment and decree made in H.M.O.P.No.118 of 2017, dated 06.02.2018, on the file of Family Court, Sivagangai.

PRAYER in CMA (MD)No.591 of 2018: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Courts Act, 1984 against the judgment and decree made in H.M.O.P.No.327 of 2017, dated 06.02.2018, on the file of Family Court, Sivagangai.

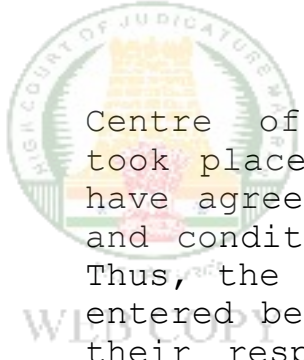
For Appellant :Mr.R.Gandhi
in both appeals
For Respondent :Mr.S.Ramasamy
in both appeals

COMMON JUDGMENT

[Judgment of the Court was made by K.RAVICHANDRABAABU,J.]

Both these Appeals were filed before this Court by the appellant, who is one and the same, namely the husband, arising out of the order passed in H.M.O.P.No.118 of 2017 and H.M.O.P.NO.327 of 2017, on the file of Family Court, Sivagangai. The respondent in both the appeals is the wife.

2.When these matters were taken up earlier on 02.07.2018, We referred the same to the Mediation Centre of this Court for enabling the parties to settle the matter amicably between them. Accordingly, the Registry referred the matter to the Mediation



Centre of this Court. Consequently, mediation between the parties took place on three different dates and thereafter, the parties have agreed to settle the dispute between them, on certain terms and conditions reduced in the form of an agreement between them. Thus, the Mediation Centre filed a report enclosing the agreement entered between the parties, which was signed by the parties and their respective counsels as well. The terms of the agreement entered between the parties read as follows:

'5.The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator.

6.The following settlement has been arrived at between the parties hereto:

A)It is agreed that the marriage took place on 01.12.2014 and out of the wedlock, a female child by name Rakshana Shri was born on 10.11.2015.

B)It is further agreed that the Appellant/husband shall pay Rs.5,00,000/- (Rupees five lakhs only) towards full and final settlement as lifetime maintenance and accordingly, the appellant has paid Rs.5,00,000/- (Rupees five lakhs only) by way of Demand Draft drawn on State Bank of India, D.D.No.606082, dated 22.06.2018 for the Respondent/Wife.

C)It is further agreed by the Appellant/husband will pay considerable sum for the child at the time of her puberty according to his wish and the Respondent will not make any claim before any Court respecting the wish of her husband.

D)It is agreed between the parties that both of them shall not file any further case before any Court.

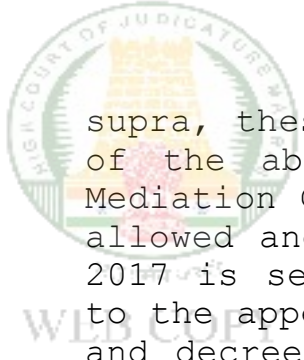
E)It is agreed by the Respondent/Wife that both the Appeals can be allowed by way of mutual consent.

7.By signing this Agreement the parties hereto state that they have no further claims or demands against each other with respect to C.M.A(MD)Nos.186 of 2018 and C.M.A(MD)No.591 of 2018(Case No.) and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of conciliation/Mediation.'

3.Accordingly, the matter is listed today before us for the disposal of the above appeals in terms of the agreement entered between the parties before the Mediation Centre of this Court. The learned counsels appearing on either side submitted that the appeals may be disposed of in terms of the above agreement.

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

4.Considering the above stated facts and circumstances and in view of the agreement entered between the parties, as stated



supra, these Civil Miscellaneous appeals are disposed of in terms of the above agreement entered between the parties before the Mediation Centre of this Court. Consequently, both the appeals are allowed and the common order passed in H.M.O.P.Nos.118 and 327 of 2017 is set aside. Consequently, a decree of divorce is granted to the appellant. The said agreement shall form part of the record and decree. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Judge,
Family Court,
Sivagangai.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+ 2 CC TO Mr.R.GANDHI, ADVOCATE IN SR No. 76439 & 76430
+ 2 CC TO Mr.S.RAMASAMY, ADVOCATE IN SR No. 76625 & 76626

SKN

TE/SKN/SAR-1 : 15/10/2018 : 3P/8C

COMMON JUDGMENT MADE IN
C.M.A(MD)NOS.186 and 591 of 2018 and
C.M.P(MD)NOS.6849 and 2800 of 2018
01.08.2018