



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Eleventh day of September Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice N.SESHASAYEE

CMSA(MD). No.24 of 2018

DHANALAKSHMI, W/O.VADIVEL,
D/O.KANDASAMY,
NO.362/2 SAKTHI NAGAR 2nd STREET,
VADIVEL NAGAR,
I.N.S. POST, KARUR TALUK AND DISTRICT

: Appellant/Respondent/Respondent

Vs

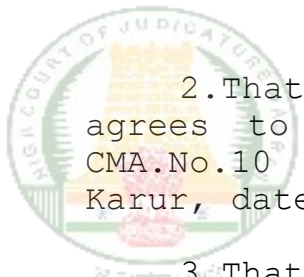
S.VADIVEL
S/O.SUBRAMANIAN,
AMMAYAPPA GOUNDER PUDUR
KAKKAVADI VILLAGE,
KARUR TALUK AND DISTRICT

: Respondent/Appellant/Petitioner

Prayer : Civil Miscellaneous Second Appeal is filed under section 28 of Hindu Marriage Act, against the judgment and decree dated 18.07.2017 passed in C.M.A.No.10 of 2017 on the file of the Additional Sessions Judge, Karur by reversing the judgment and decree dated 27.08.2015 made in HMOP.No.7 of 2013 on the file of the Principal Subordinate Judge, Karur.

DECREE: This Civil Miscellaneous Second Appeal is coming upon for hearing on this day and upon perusing the Grounds of Appeal and upon hearing the arguments of M/S.S.VIJAYA SHANTHI, Advocate for the Appellant and of MR.N.SHANMUGA SELVAM, Advocate for the respondent and the Appellant and the Respondent herein having settled their differences and entered in to a compromise between themselves and through their respective Advocates and having filed a Memo of Compromise duly signed by the parties as well as by the Advocate on either side upon perusing the grounds of Appeal as the judgment and decree of the courts below and the records relating to the case and the Memo of Compromise in original of which is affixed and annexed herewith, this court while disposing this Appeal in terms of the Memo of Compromise between the parties and recording the said Memo of Compromise doth order and decree as follows:

1.That the Appellant/Wife and the Respondent/Husband have agreed to act on the basis of the decree for divorce granted in CMA.No.10 of 2017 on the file of the Additional Sessions Judge, Karur, dated 18.07.2017;



2. That the appellant/wife in view of the settlement, hereby agrees to confirm the judgment and decree granting divorce in CMA.No.10 of 2017 on the file of the Additional Sessions Judge, Karur, dated 18.07.2017;

3. That the respondent/husband has agreed to pay a sum of Rs.30 lakhs (Rupees Thirty Lakhs only) for the appellant/wife as permanent alimony and the appellant /wife agrees to accept the same as life time alimony;

4. That the appellant/wife further agrees and undertakes that she will not make any claim whatsoever other than the sum of Rs.30 lakhs (Rupees Thirty Lakhs only) now paid by the respondent/husband by way of two demand draft dated 18.08.2020 bearing D.D.No.394525 drawn on Indian Overseas Bank K.Sukkaliyur branch for a sum of Rs 22 lakhs (Rupees Twenty Two Lakhs only) and another demand draft dated 18.08.2020 bearing D.D.No.071976 drawn on State Bank of India, Sivagangai branch for a sum of Rs.8 lakhs (Rupees Eight Lakhs only);

5. That in view of the permanent alimony of Rs.30 lakhs (Rupees Thirty Lakhs only) paid by the respondent /husband, there is no further claim against the respondent /husband in any manner and the respondent /wife shall accept the same as full quit;

6. That in sequence, the appellant /wife will not claim any amount whatsoever in future on the basis of the maintenance granted in M.C.No.22 of 2013 on the file of the Chief Judicial Magistrate, Karur, dated 30.06.2015;

7. That both the appellant and the respondent in view of the above settlement have absolutely no other claim against each other;

8. That the appellant/wife and the respondent/husband hereby agrees to dispose the above CMSA.No.24 of 2018 on the file of this Honourable Court in terms of the present Joint Compromise Memo;

9. That both the parties agrees that they have entered the above Joint Compromise Memo on their own volition without any coercion whatsoever; and

10. That there be no costs in this Civil Miscellaneous Second Appeal.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



To

1. THE ADDITIONAL SESSIONS JUDGE, KARUR.
2. THE PRINCIPAL SUBORDINATE JUDGE, KARUR

Copy to:

The Record Keeper,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai (2)

+1 CC to Mr.M.P. SENTHIL, Advocate (SR-17009 dated 15/09/2020)

ORDER DATED : 11/09/2020

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DECREE

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CMSA(MD) . No.24 of 2018

Nature of Decree: Disposing of this Appeal in terms of Memo of Compromise between the parties preferred against the judgment and decree passed in CMA.NO.10 of 2017 dated 18.07.2017 on the file of the Additional District & Sessions Judge, Karur by reversing the judgment and decree passed in HMOP.No.7 of 2013 dated 27.08.2015 on the file of the Principal Subordinate Judge, Karur, etc., as stated within.

MR (CO)
CS (23.09.2020) 3P 6C