



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2018

CORAM:

WEB COPY

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

C.M.A(MD)NO.351 of 2018

R.P.G.Nivashini : Appellant/Petitioner

.vs.

D.R.Muthuraja : Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act praying this Court to set aside the judgment and decree made in H.M.O.P.No.333 of 2014, dated 08.12.2016 on the file of Family Court, Madurai.

For Appellant : Mr.T.Shanmugamuthu

For Respondent : Mr.M.Muthukumar

JUDGMENT

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

This Civil Miscellaneous Appeal is filed by the wife challenging the order passed by the Family Court, Madurai in H.M.O.P.No.333 of 2014 dismissing her petition seeking for nullifying the marriage held between the appellant and the respondent.

2.When the Civil Miscellaneous Appeal was taken up for hearing on 06.06.2018, it was represented by both sides that there is a possibility of settlement between the parties, if the matter is referred to Mediation Centre of this Court. Accordingly, this Court directed the Registry to refer the matter to the Mediation Centre of this Court. The Tamil Nadu Mediation and Conciliation Centre, Madurai Bench of Madurai High Court, Madurai sent a Mediation Report, dated 13.06.2018 stating that mediation completed by enclosing a copy of the agreement entered between the parties on 13.06.2018. The said agreement entered between the parties on 13.6.2018 reads as follows:

**SETTLEMENT AGREEMENT**

This settlement Agreement entered into on 13.6.2018 between R.P.G.Nivashini and D.R.Muthuraja.

WHEREAS

1.Disputes and differences had arisen between the parties hereto and C.M.A(MD)No.351 of 2018 was filed on 23.5.2018 before Honourable High Court.

2.The matter was referred to mediation/Conciliation vide an order dated 06.06.2018 passed by THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU and THE HONOURABLE MRS.JUSTICE T.KRISHNAVALLI.

3.The parties agreed that Mr.J.S.Murali, would act as their Mediator/Conciliator.

4.Several meetings were held during the process of Mediation/Conciliation from 13.6.2018 to 13.6.2018 and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.

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/Conciliator.

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

A. The Appellant/Wife has paid Rs.1,75,000/- towards marriage and other expenses and the same was received by the Respondent/Husband.

B. The Appellant/Wife has received all the photos and negatives in connection with the marriage and other functions from the Respondent/Husband.

C. Both the Appellant/Wife and the Respondent/Husband are consenting for divorce on 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)No.351of 2018(Case No.) and all the disputes and differences in this regard have been amicably settled by the parties hereto through the process of Conciliation/Mediation.''

3.The learned counsel appearing for both sides submitted that the Civil Miscellaneous Appeal may be disposed of in terms of the settlement entered between the parties before the Mediation Centre of this Court.



4. Accordingly, this Civil Miscellaneous Appeal is disposed of in terms of the above agreement entered between the parties before the Mediation Centre Of this Court and consequently, a decree of divorce is granted between the parties on mutual consent. No costs.

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-II)

To

The Judge,
Family Court,
Madurai.

Copy to:

The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai. (2 copies)

vsn
AE/PN/SAR2/30.07.2018/3P/4C

**JUDGMENT MADE IN
C.M.A (MD) NO.351 of 2018
18.07.2018**