

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.04.2019

Coram

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MR. JUSTICE C.SARAVANAN

C.M.A.No.2420 of 2016

S.Sivaprakash ... Appellant/ Petitioner

vs.

Suchithra Prakash ... Respondent/ Respondent

Appeal filed under Section 19 of the Family Courts Act, 1984 against the order and decretal order of the Principal Judge, Family Court, Coimbatore dated 30.05.2016 passed in G.W.O.P.No.793 of 2011.

For Appellant : Mr.Kabeer, Sr. Counsel
for Mr.T.Jayaraman

For Respondent : Dr.C.Ravichandran

JUDGMENT

(Judgment of the Court was delivered by M.M.SUNDRESH, J.)

This appeal is directed against the order and decretal order of the Principal Judge, Family Court, Coimbatore dated 30.05.2016 passed in G.W.O.P.No.793 of 2011.

2.When the matter is taken up for hearing, learned senior counsel appearing for the appellant and the learned counsel appearing for the respondent would submit that the matter has been settled pursuant to the mediation held. A copy of the mediation report and the memo of compromise dated 05.04.2019 are also placed on record. The memo of compromise dated 05.04.2019 reads as under:

"1.The appellant and the respondent have compromised their disputes and differences as detailed below"-

(a)The appellant hereby accepts the wishes of his minor son and agrees to visit him as and when the minor son agrees for such visitation and hereby gives up his claim for custody.

(b)The respondent and the minor son have accepted the wishes of the appellant that the appellant can be on telephonic conversation with the minor son to enquire about his welfare.

(c)Similarly, the appellant can also be in touch through short message services (SMS) or through other modes of electronic communication with the minor son.

(d)The respondent hereby agrees to extend her cooperation to ensure that the minor son interacts with the appellant cordially and also he would reply to any communication from the appellant both telephonically and through electronic media.

(e)The respondent has also agreed that she will not prevent the appellant from gifting any articles, clothes etc., as required by the minor son and permit to visit him as and when desired by minor son.

The parties agree to abide by the aforesaid compromise both in letter and spirit and not to do any act in derogation thereof.

It is therefore prayed that this Hon'ble Court may be pleased to record the aforesaid compromise arrived at between the parties during mediation and pray that the appeal may be dismissed on recording the compromise and in terms thereof and thus render justice.

3.The memo of compromise dated 05.04.2019 is taken on record. The Civil Miscellaneous Appeal stands disposed of in terms of the memo of compromise. The memo of compromise dated 05.04.2019 shall form part of the decree. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

mmi
To

The Principal Judge,
Family Court, Coimbatore.

+1cc to Mr..T.Jayaraman , Advocate SR.No. 36542
+1cc to Dr.Ravichandran , Advocate SR.No. 36222

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