

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.No.2524 of 2016
and
C.M.P.No.17884 of 2016

J.Karthikeyani, W/o.Karthikeyan,
132, Sowdeswari Nagar,
Sathya Nagar,
Paddy Breeding Station Road,
Coimbatore 641 003. ... Appellant

Vs

S.Karthikeyan, S/o.Sivanandham,
Sowdeswari Nagar, Sathya Nagar,
Paddy Breeding Station Road,
Coimbatore 641 003. ... Respondent

PRAYER : Appeal filed against the judgment and decree of the
Additional Principal Family Judge of Coimbatore, dated
01.07.2016, H.M.O.P.No.1124 of 2011.

For Appellants :Mr.V.Nicholas

For Respondents :Mr.J.Jayaganesh

J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

The Appeal has been filed by the wife to set aside the
decree and judgment passed in H.M.O.P.No.1124 of 2011 seeking
decree of divorce. H.M.O.P.1124 of 2011 has been filed by the
respondent/husband for divorce on the ground of cruelty.

2.The appellant got married to the respondent on
20.08.2008. Out of the said wedlock a child viz., Master Siva
Adithya was born 29.05.2010. Thereafter, disputes arose
between the parties and they have been living separately from
13.04.2011. Therefore, the respondent filed H.M.O.P.No.1124
of 2011. On contest, H.M.O.P.No.1124 of 2011 was allowed on
01.07.2016, against which the present appeal has been
preferred by the wife.

3. When the matter is called today, both the parties along with their child are present before this Court and filed a joint memo of compromise dated 09.08.2019, duly signed by the parties and counter signed by the respective counsel stating that they continue to live separately for the present and at the appropriate time, they will decide about reunion. Further both the parties have agreed to commonly take care of and look after their son till their reunion in future. Further the respondent undertakes to spend time with his son during holidays and weekends, apart from paying education expenses and medical expenses.

4. In view of the above, the Decree and Judgment passed in H.M.O.P.No.1124 of 2011, dated 01.07.2016 by the Additional Principal Judge, Family Court, Coimbatore is set aside and the appeal is disposed of in terms of the joint memo of compromise dated 09.08.2019 entered between the parties. The said joint memo of compromise dated 09.08.2019 shall form part of the decree. No costs. Consequently, connected Miscellaneous Petition is closed.

*Copy of the Joint Memo of Compromise enclosed

Sd/-
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

sai

To

The Additional Principal Judge,
Family Court,
Coimbatore.

+1cc to Mr.V.Nicholas, Advocate SR.No.68326

+1cc to Mr.G.Suresh, Advocate SR.No.68860 (28/0/2020)

C.M.A.No.2524 of 2016

AD (CO)
GMY (24/01/2020)