

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2019

Coram

The Hon'ble Mr. Justice M.M.SUNDRESH
and
The Hon'ble Mr. Justice RMT. TEEKAA RAMAN

C.M.A. No. 2730 of 2016

P.Lokesh Kumar ... Appellant/Husband

-vs-

Saraswathi @ Nagalakshmi ... Respondent/Wife

Appeal filed under Section 19 of Family Courts Act, 1984 against the fair and decreetal order passed in HMOP No. 1585 of 2013 dated 22.07.2016 on the file of III Additional Family Court at Chennai.

For Appellant : Mr.D.Palani

For Respondent : Ms.R.Mayasundari

JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

This appeal is filed against the order dated 22.07.2016 made in HMOP No. 1585 of 2013 on the file of the III Additional Family Court, Chennai.

2. When the matter is taken up for hearing today, learned counsel appearing for the appellant and the learned counsel appearing for the respondent submitted that the matter has been resolved between the parties through mediation.

3.The settlement agreement dated 21.08.2019 signed by the parties and duly attested by their respective counsel reads as under:

a) It is submitted that the Appellant herein has agreed to give a consolidated sum of Rs.3,70,000/- (Rupees Three Lakhs and Seventy Thousand Only) to the respondent for her maintenance

in future and paid by way of Demand Draft drawn in the name of N.Nagalakshmi the respondent herein for a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) drawn at City Bank Chennai, dated 01.08.2019 bearing D.D.No.110491 and Rs.70,000/- (Rupees Seventy Thousand only) by permanent alimony of the respondent and the respondent has also agreed to give Divorce on receipt of the above sum.

b) It has been mutually agreed between the Appellant and the respondent that their minor daughter L.Taanusiya (aged 8 years) will be in the permanent custody of her mother the respondent herein.

c) The Appellant herein paid a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) by way of Demand Draft drawn in the name of L.Taanusiya by way of D.D.No.163715 drawn at City Bank, Chennai dated 16.08.2019 for the welfare and for maintenance of the minor daughter L.Taanusiya to secure child's future. And the respondent herein agreed to deposit the said amount in the name of her minor daughter in fixed Deposit and receive monthly interest to take care and for maintenance of her daughter as natural guardian for the minor.

d) It is further agreed by the Appellant that all the Sridhana Articles like, Cot, Bed, Godraj Almirah, L.G. Refrigerator, Washing Machine, Grinder other household articles mentioned in the list and also Gold Jewels like Gold Kappu and gold chain have been received by the respondent on 18.08.2019 and 21.08.2019 respectively and both parties herein relinquished all their rights against each other.

e) It is agreed by the respondent that she got back all her belongings left by her in the matrimonial home as mentioned in the list and returned the Thali Chain with other materials and also the Gold Ring given to her brother at the time of marriage to the appellant herein on 21.08.2019.

f) It is submitted the appellant and the respondent have mutually agreed and decided to dissolve their marriage solemnized on 17.06.2010 at Krishna Sri Mahal at Pallavaram, Chennai on the basis of this Settlement Agreement and agreed to get Divorce.

4.In view of the above, this Civil Miscellaneous Appeal stands disposed of in terms of the settlement agreement dated 21.08.2019 and the settlement agreement dated 21.08.2019 shall form part of the decree. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

mmi/ssm

To

The III Additional Family Court,
Chennai.

Copy To
The Section Officer,
VR Section, High Court, Madras

+2cc to Ms.R.Mayasundari, Advocate SR.No.78723

+1cc to Mr.GP.Kothandaraman, Advocate SR.No.78588

CMA.No. 2730 of 2016

PP(CO)
GMY(06/12/2019)