

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.1442 of 2018

Rajesh Thatipally,
S/o.Devaiah,
4-5-174, Ashok Nagar, Karimnagar,
Telangana 505 001.

... Appellant/Petitioner

Vs

Meena, D/o.Perumal,
128B, Annanagar, 1st Street,
Kumarasamipettai,
Dharmapuri Taluk,
Dharmapuri District.

... Respondent/Respondent

PRAYER :

Appeal filed against the order made in FCHMOP.No.104 of 2017 dated 26.03.2018 on the file of learned Family Judge at Dharmapuri.

For Appellant : Mr.L.Ramu

For Respondent : Mr.C.Prabakaran

J U D G M E N T

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

The appeal has been preferred by the appellant/husband aggrieved over the dismissal of his petition filed for declaration of the marriage certificate as null and void.

2.The appellant and the respondent were said to have got married and the said marriage got registered on 14.10.2016 at Chennai North Registrar Office. Later, misunderstanding developed between the parties which led to filing of FCHMOP.No.104 of 2017 before the Family Court, Dharmapuri by the appellant, seeking declaration of the marriage as null and void. The said petition was dismissed by order dated 26.03.2018, against which only the present appeal has been filed.

3.The matter was earlier referred to Mediation and Conciliation Centre, where the matter has been settled by entering into a Memorandum of Compromise dated 08.07.2019 signed by both the parties and counter signed by respective counsel appearing on behalf of both the parties.

4.Both the parties are present before this Court and they categorically stated that they have decided to get separated and a sum of Rs.80,000/- has been paid as compensation to the respondent by way of Demand Draft No.868040 drawn at Indian Bank, Kalyan Nagar Branch, Hyderabad dated 01.07.2019, which has already been handed over to the respondent.

5.In view of the above, the order of dismissal passed in FCHMOP.No.104 of 2017 dated 26.03.2018 by the learned Judge, Family Court, Dharmapuri, is set aside and the decree of declaration of marriage as null and void as sought by the appellant is granted.

6.Accordingly, the appeal is disposed of in terms of the Memorandum of Compromise entered between the parties, dated 08.07.2019. The said Memorandum of Compromise dated 08.07.2019 shall form part of the decree. No costs.

* Xerox copy of Memo of Compromise enclosed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sai

To

The Judge,
Family Court, Dharmapuri.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.68599

C.M.A.No.1442 of 2018

RV(CO)
CS/20/11/2019