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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. 1525 of 2018
&
Crl.R.C.No. 1081 of 2018

T.Revathi ...Appellant/Petitioner/Petitioner

Vs.

R.Karthik Rajan ... Respondent/Respondents/
Respondent

Common Prayer: Appeal filed under Section 19 of the Family Courts Act, 1984 against the judgment and decree in H.M.O.P. No. 17 of 2017 on the file of the Family Court, Tiruvallur, dt 13/06/2018 and revision filed under Sections 397 and 401 of the Criminal Procedure Code against the order passed by the Family Court, Tiruvallur in M.C.No.20 of 2016 on 13.06.2018.

For Appellant : Mr.K.S.Kumar

For Respondent : Mr.M.A.R.Pragash

JUDGMENT

(Delivered by M.M.Sundresh, J.)

When the matter is taken up for hearing today, both the parties and the counsel on record were present.

2. Learned counsel for both the parties submitted a joint memorandum of compromise on the following terms:-

"1. The parties of the first and second part have mutually agreed to withdraw all the allegations against each other.

2. The party of the second part has paid a sum of Rs.50,000/- (Rupees fifty thousand only) to the party of the first part towards litigation



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expenses, the receipt of which is acknowledged by the party of the first part, under this joint memo of compromise.

3. The party of the first part has hereby waived her right of maintenance as against the party of the second part and undertakes that she will not claim any amounts towards past, present or future maintenance from the party of the second part.

4. The party of the first part and the party of the second party hereby agree that they have no right over the movable and immovable properties of other, either individually owned or inherited by them.

5. The party of the first part and the party of the second part agree that on signing the Joint Memo of Compromise between them, they shall be relieved of the marital bond in every sense and shall have the right to lead their respective future lives as they wish, including getting remarried and so on.

6. This Memo of Compromise is entered into between the party of the first part and the party of the second part in good faith, honouring the Decree of Divorce that is to be granted to them based on the out of Court Settlement effected, to lead their future lives on their own terms as Matured people without any ill will whatsoever between them.

7. The party of the first part is withdrawing Crl.R.C.No.1081 of 2018 filed by her before the Hon'ble High Court Madras against the order passed in M.C.No.20 of 2016, in view of the present Joint Memo of Compromise.

8. The party of the second part undertakes not to enforce the Decree of Restitution passed in HMOP No. 761 of 2018 by the Subordinate Court Poonamalee, in view of the Joint Memo of Compromise.

9. The party of the first part has no objection to open and operate the Bank Locker maintained in the joint names of the party of the first part, the party of the second part and the Sister of the party of the second party, and to that effect, the party of the first part has executed a Letter of "No Objection" addressed to the Bank and to remove her name from the Joint Locker account No.100.

10. There has been no coercion, undue influence or fraud exerted on the parties in bringing about this Joint Memo of Compromise. "



The civil miscellaneous appeal stands allowed and the revision stands closed in terms of the joint memo of compromise, extracted supra. There shall be a decree for divorce in tune with the joint memorandum of compromise filed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssm

To:-

1.The Presiding Officer
Family Court,
Tiruvallur.

2.The Sub Judge,
Sub Court, Poonamallee

copy to
The Section Officer
VR Section High Court Madras

+2 ccs to Mr.K.S.Kumar Advocate sr 36398
+2 ccs to Mr.M.A.R.Pragash Advocate sr36236

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