

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
AND

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.M.A.NO.2238 OF 2019

V.Vimal Sudhakar .. Appellant

Vs.

M.Christeena Chitra @ Chitra .. Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19(1) of Family Court Act, against the fair decreetal order dated 08.03.2019 made in FCOP No.206 of 2017, filed under Section 10 (1)(x) of the Indian Divorce Act, 1869, on the file of the Family Court at Vellore.

For Appellant : Mr.Venkatesh Mahadevan

For Respondent : Ms.Sivakami Shanmugam Pillai

JUDGMENT

[Judgment of the Court was made by K.K.SASIDHARAN, J.]

This Civil Miscellaneous Appeal is directed against the decree dated 08.03.2019 in FCOP No.206 of 2017 dismissing the Original Petition filed by the appellant to pass a decree dissolving the marriage.

2. The parties have settled the matter during the currency of this appeal. The appellant agreed to pay a total sum of Rs.70,00,000/- (Rupees Seventy Lakhs Only) to the respondent in full quit. The respondent agreed to sign the Joint Memorandum of Compromise, in case, the entire amount is paid.

3. We are informed by the learned counsel for the respondent that the appellant has paid the entire amount of

Rs.70,00,000/- (Rupees Seventy Lakhs Only) as indicated in the order dated 22.07.2019, in full and final satisfaction of the claim. We are also informed that the parties have filed a joint petition for divorce before the IV Additional Family Court, Chennai, along with an application to dispense with the mandatory period.

4. Since the parties have settled the matter and the same also resulted in filing a joint petition for divorce, nothing survives for further adjudication in this appeal.

5. Since the parties have arrived at a settlement, we direct the IV Additional Family Court, Chennai, to take up the application and pass appropriate orders to waive the mandatory period taking into account the spirit of the settlement arrived at among the parties.

6. The Civil Miscellaneous Appeal is disposed of with the above observation. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

TK

To

1.The Judge,
Family Court,
Family Court,
Vellore.

2.The IV Additional Judge
IV Additional Family Court
Chennai.

+2cc to Mr.Venkatesh Mahadevan, Advocate sr.83514

C.M.A.NO.2238 OF 2019

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