

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

C.R.P. PD 339 of 2018

and

C.M.P.s 1819 & 6855 of 2018

S.Kumaravel Petitioner

Vs.

K.Mamta ... Respondent

Prayer :- This Civil Revision Petition has been filed under Art. 227 of Constitution of India, praying to set aside the order passed in I.A. No.190 of 2017 in H.M.O.P. 52 of 2016, on the file of the Hon'ble Subordinate Judge, at Poonamallee.

For Petitioner : Mr.V.Raghupathi

For Respondent : Mr. T.Alben Jicho

ORDER

The respondent husband has filed this Civil Revision Petition against the order of granting interim maintenance at the rate of Rs.15,000/- to the respondent wife.

2. Today, when the matter was taken up for hearing, the learned counsel appearing for respondent submitted that, pending Civil Revision Petition, parties have settled the dispute between themselves, and they have also filed a joint compromise memo duly signed by both parties and also the learned counsel appearing for petitioner as well as learned counsel appearing for respondent. Hence, this Civil Revision Petition may be disposed of recording the joint compromise memo. The terms of compromise entered between the parties reads as follows :-

“(i) The 1st petitioner and the respondent have agreed to dissolve the marriage solemnised under the Hindu Marriage Act, mutually by presenting necessary petition before the jurisdictional Sub-Court.

(ii) The petitioner (Mr.Kumaravel) agreed to execute registered settlement deeds, before filing the first motion of mutual divorce for the following properties to the respondent (Mrs.Mamta) towards full and final settlement, maintenance etc. :-

(a) Property bearing Flat No.D-4, 204
(3BHK) flat measuring 1062 sq.ft. Cosmo City
D.Block Dr.Abdul Kalam Road, Pudupakkam,

Chennai-603 103.

(b) Property bearing Flat No.K-311,
measuring about 556 sq.ft. of Flat K.Block,
Temple Waves, Kundrathur, Chennai-600
069.

(iii) The petitioner has agreed and also paid partial advance amount for purchasing Flat No.B505, 2 BHK measuring 1032 sq.ft. Newry Celio at Newry Enclave, Paruthipattu, Chennai and the petitioner made arrangement to get the sale deed in favour of the respondent name itself, which is worth of around Rs.44,00,000/- (approx) (Rupees forty four lakhs only) and also assured to execute the sale deed straight from the builder to the respondent's name before filing the second motion of the mutual divorce or before filing the proof affidavit for dissolving the marriage before the jurisdictional court.

(iv) Further, the petitioner Mr.Kumaravel has agreed to pay the amount of Rs.5,00,000/- (Rupees Five lakhs only) to the respondent before filing the second motion of the mutual divorce or before filing

the proof affidavit for dissolving the marriage before the jurisdictional court.

(v) The petitioner (Mr.Kumaravel) assures to hand over all the documents and keys of the above mentioned three properties to the respondent (Mrs.Mamta) before filing the second motion of the mutual divorce or before filing the proof affidavit for dissolving the marriage before the jurisdictional court.

(vi) The respondent wife Mrs.Mamta has agreed to withdraw the domestic violence complaint in D.V.C.No.1/2018 pending on the file of the Hon'ble JM-I, Poonamallee.

(vii) Both the petitioner and the respondent undertake to co-operate with each other in the proceedings for dissolution of marriage before the appropriate jurisdictional court.

(viii) The respondent undertakes that she shall not make any claim or have right against any movable or immovable property of the petitioner or his family members in future and not to claim any maintenance

or permanent alimony for herself nor the child in future.

(ix) The petitioner also undertakes that he shall not make any claim or have right against any movable or immovable property of the respondent, or any of her family members in future.

(x) The 1st petitioner and the respondent submit that they do not have any other claims from each other for the present and in future."

3. Both the petitioner and the respondent were present before this Court. Recording the above joint compromise memo entered between the parties, the present Civil Revision Petition is allowed in terms of the above memo of compromise. Consequently, the connected Civil Miscellaneous Petitions are closed.

4. The joint compromise memo shall be form part of the present Civil Revision Petition.

17.12.2019

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Note : Issue order copy on 06.01.2020

To

Sub-Judge, Poonamallee.

V.BHARATHIDASAN,J.

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