

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.03.2019

Coram

The Honourable Mr.Justice R.SUBRAMANIAN

C.M.A.No.1068 of 2017

J.Esther Prabha

...Appellant

Versus

D.Vijaya Bhaskar

...Respondent

This Civil Miscellaneous Appeal is filed under Section 55 of the Divorce Act, 1869 against the judgment and decree dated 09.01.2017 made in D.O.P.No.7 of 2016 on the file of the Principal District Judge, Krishnagiri praying to set aside the same.

For Appellant : Ms.Zeenath Begum

For Respondent : No Appearance

J U D G M E N T

By order dated 14.07.2017, this Court had referred the parties to Tamil Nadu Mediation and Conciliation Centre. On 02.08.2017, Mediation Report and Mediation Agreement have been filed, wherein, both the appellant as well as respondent have signed.

2. The terms of settlement arrived between the parties before the Tamil Nadu Mediation and Conciliation Centre reads as follows:

" (i) Both the parties agree to dissolve the marriage.

(ii) The appellant withdraws all the allegations made in the Petition D.O.P.No.7 of 2016 filed by the appellant on the file of the Principal District Judge, Krishnagiri for which the respondent husband agrees.

(iii) Both the parties request to dissolve the marriage which was solemnized on 01.03.2015 at the "Seventh Day Adventist Tamil Church", Navadhi Road, Hosur - 635 110, Krishnagiri District, Tamil Nadu.

(iv) The Appellant wife gives up her past, present and future maintenance.

(v) Both parties have no other claims against each other."

3. Pursuant to the same, the matter is listed today. Appellant/wife is present. Both the parties agree to the terms of settlement arrived at between them before the Tamil Nadu Mediation and Conciliation Centre. The Mediation and Conciliation Report shall form part of the record.

4. In view of the above, this Civil Miscellaneous Appeal is allowed and the judgment and decree made in D.O.P.No.7 of 2016 on the file of the Principal District Judge, Krishnagiri dated 09.01.2017 is set aside. The marriage that took place between the parties on 01.03.2015 at "Seventh Day Adventist Tamil Church", Navadhi Road, Hosur - 635 110, Krishnagiri District, Tamil Nadu is dissolved. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

mrr

To

1. The Principal District Judge, Krishnagiri.

2. The Section Officer, VR Section, Madras High Court.

+2cc to Mr.Zeenath Begum, Advocate SR.No.22374

सत्यमेव जयते

C.M.A.No.1068 of 2017

PMS (CO)

GMV (23/04/2019)

WEB COPY