

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE C.SARAVANAN

C.M.A. No. 2903 of 2017

N.Murali ...Appellant
Vs.
Sukanya ... Respondent

Prayer: Appeal filed under Section 19 of the Family Courts Act, 1984 against the judgment and decree in dated 19.04.2017 in F.C.O.P.No. 379 of 2014 on the file of Family Court, Salem.

For Appellant : Mr.Sakthivel
For Respondent : Mr.Kaithamalai Kumaran

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 signed by the parties and duly attested by the counsel on the following terms:-

"1. The appellant submits that he had paid sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) to the respondent herein as full and final settlement as permanent alimony.

2. The parties submit that out of the lawful wedlock there is no child was born to them, and hence the custody and guardianship over child the does not arise.

3. The respondent submits that out of the sum of Rs.8,00,000/- she had received sum of Rs.2,00,000/- by way of cash, and sum of Rs.6,00,000/- by way of Demand Draft, DD No.138147, dt.24.04.2019, drawn on SBI, Sri Rangapalyam, Salem.

4. The respondent declares that she would not claim any maintenance or permanent alimony for herself from the Appellant, and Respondent further declares that she will not file any petition in present, past and future claiming such maintenance or alimony from the appellant.

5. The Respondent declares that she will not file any civil suit claiming property rights for herself neither the appellant's property nor his parent's moveable and immoveable property in the future. The Respondent for herself relinquishes all her right over the appellant's and his parent's property and estate.

6. The parties above named will bear their respective costs in all the proceedings initiated by them respectively.

7. The Appellant and the Respondent will not here after in any manner interfere in the affairs or lives of each other in the future.

8. The Appellant and the respondent have mutually exchanged all their sridhana articles and nothing remains to be exchanged between them. The parties have no claim against each other in respect of any articles, jewels or valuables on any manner whatsoever.

9. The parties above named have arrived at this Compromise memo on their own free will and consent without any pressure, force, or coercion whatsoever. There is no collusion. "

Therefore, the order dated 19.04.2017, passed in F.C.O.P. No.379 of 2014 stands set aside and the civil miscellaneous appeal stands allowed in terms of the joint memo of compromise, extracted supra, signed by the parties. There shall be a decree of dissolution of marriage in terms of the joint memo of compromise. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ssm

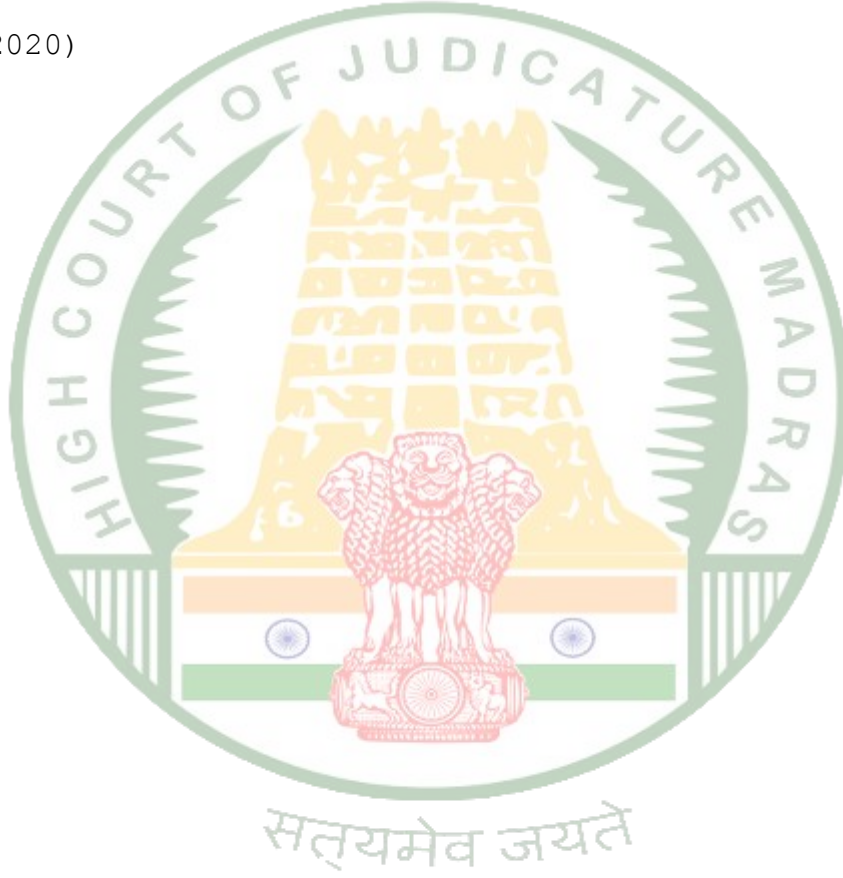
To:-

The Presiding Officer
Family Court,
Salem.

+lcc to Mr.S.Kaithamalai Kumaran, Advocate, S.R.No. 40175

C.M.A. No. 2903 of 2017

RR(CO)
GN(04/11/2020)



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