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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. 2331 of 2018

L.SARAVANAN ...Appellant/ Petitioner

Vs.

K.V.DEVI ... Respondent/ Respondent

Prayer: Appeal filed under Section 19(1) of the Family Courts Act, 1984 against the judgment and decree in H.M.O.P. No. 35 of 2017 on the file of the Family Court, Dharmapuri, dated 28.03.2018.

For Appellant : Mr.C.Prabakaran

For
Respondent : Mr.Arun Anbumani

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:-

"a. The appellant and the respondent agree to dissolve their marriage solemnized on 02-07-2014 at Vanniyar Kula Shatriyar Thirumana Mandapam, Dharmapuri, without reference to any of the allegations made against each other.

b. The Respondent agrees to receive a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) towards permanent alimony from the Appellant. Out of the said sum, the Respondent has received a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) in cash from the Appellant on 09-04-2019 at Dharmapuri. The balance sum of Rs.5,00,000/- (Rupees Five Lakhs Only) will be given to the Respondent by the Appellant vide D.D.No.118581 dated 08-04-2019 drawn on Bank of India,



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Dharmapuri Branch, on the day of passing Orders in the above C.M.A.

c. The Appellant has returned to the Respondent one sovereign (eight grams) gold coin, one almirah, two bronze vessels and other utensils, which were all given at the time of marriage.

d. The Respondent has returned to the Appellant four sovereigns of gold jewels (thirty two grams), including the mangalsutra, which were all given at the time of the marriage.

e. The Respondent agrees to withdraw M.C.No.57 of 2018 pending before the Learned Family Court, Dharmapuri on the next hearing date, i.e., 20-04-2019.

f. Both the appellant and the respondent forego all their claims whatsoever against each other in respect of their marriage that took place on 02-07-2014 and declare that they have no claims whatsoever against each other for the past, present or future in any manner.

g. Both the appellant and the respondent agree not to indulge in any activities that may disturb or cause hindrance, follow each other in future in any manner. The appellant and the respondent are free to lead their lives on their own will and wish."

In view of the above, civil miscellaneous appeal stands allowed and there shall be a decree for divorce in tune with the memorandum of compromise filed. No costs.

*Herein enclosed the xerox Copy of Memorandum of Compromise dated 12.04.2019.

ssm

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To:-

The Presiding Officer
Family Court,Dharmapuri.

Copy to
The Section Officer, VR Section, High Court,Chennai.

+1cc to Mr.C.Prabakaran , Advocate SR.No. 36507

+1cc to Mr.Arun Anbumani , Advocate SR.No. 36664

C.M.A. No. 2331 of 2018

A.SK(18/11/2019)