



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM

THE HONOURABLE MRS.JUSTICE **J.NISHA BANU**

C.R.P (MD)No.1243 of 2019

and

C.M.P (MD)No.6912 of 2019

Nagadevi

.. Petitioner/
Respondent

Vs.

R.Venkatesh

.. Respondent/
Petitioner

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India against the order dated 09.04.2019 made in I.A.No.318 of 2018 in H.M.O.P.No.147 of 2017 by the Family Court, Madurai.

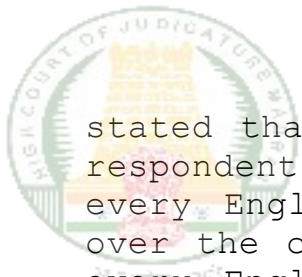
For petitioner : Mr.K.Muraleedharan

For Respondent : Mr.A.Chandrasekaran

ORDER

The marriage between the petitioner and the respondent was solemnized on 21.06.2012. After marriage, both of them lived happily for some time and they blessed with a male child. Later, due to misunderstanding, the respondent herein / husband of the petitioner has filed H.M.O.P.No.147 of 2017 before the Court below, seeking divorce. The child is now with the respondent. During pendency of H.M.O.P.No.147 of 2017, the respondent has filed I.A.No.318 of 2018 seeking to direct the petitioner to hand over the minor child to him. The Court below has allowed the petition permitting the respondent to be with his child at every 2nd and 4th Saturday and Sunday of every English Calendar month and also directed the petitioner to hand over the child to the respondent on Saturday at 09.00 a.m. and return back the child on Sunday at 05.00 p.m. at Rajaji Park, Madurai, until modification. Against which, the present civil revision petition has been filed.

2.Today when the matter is taken up for hearing, on the side of both parties, a compromise memo has been filed, wherein it is
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stated that both parties agreed that the visitation right of the respondent to be with his male child by 2nd Saturday and Sunday of every English Calendar month and the petitioner agreed to hand over the child to the respondent at 09.00 a.m. on 2nd Saturday of every English Calendar month and the respondent also agreed to hand over the male child to the petitioner at 05.00 p.m. on 2nd Sunday [next day] of every English Calendar month and both parties agreed for modifying the order of the Court below to that extent.

3.The learned counsel appearing for both the parties would further submit that the divorce petition is pending from 2017 onwards and trial has also been commenced and therefore, would pray for speedy disposal of the divorce petition.

4.In the compromise memo, both the parties along with their counsel have signed, accepting the terms of compromise. Under the said circumstances, the compromise memo filed on the side of both parties, is recorded and the order of the Court below is modified and the Civil Revision Petition is disposed of in accordance with the terms mentioned in the compromise memo. The memo of compromise shall form part of this order. The learned Judge, Family Court, Madurai, is directed to dispose of H.M.O.P.No.147 of 2017 on merits and in accordance with law as early as possible, preferably within a period of six months from the date of receipt of a copy of this order. Both the parties are directed to cooperate with the Court below for early disposal of H.M.O.P.No.147 of 2017. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Xerox copy of Joint Compromise memo attached dated 06.08.2019

To

The Judge, Family Court, Madurai.

Copy to: The Record Keeper, V.R. Section,

Madurai Bench of Madras High Court, Madurai.(2 copies)

+1 CC to M/s.A.CHANDRASEKARAN, Advocate (SR-80357[F] dated 07/08/2019)

+1 CC to M/s.K.MURALEEDHARAN, Advocate (SR-80501[F] dated 08/08/2019)

ORDER MADE IN

C.R.P (MD) No.1243 of 2019

07.08.2019