



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.08.2019

CORAM

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A(MD) .No.720 of 2018

G.Anandha Kannan @ Francis

... Appellant/
Petitioner

Vs.

M.Mary Meroly Anusha

... Respondent/
Respondent

PRAYER:- Appeal filed under Section 55 of the Indian Divorce Act, 1869, against the order dated 19.01.2018 passed in I.D.O.P.No.70 of 2016 by the I-Additional District Court, Tirunelveli.

For appellant : Mr.P.Senthurpandian

For respondent : Mr.J.John

JUDGMENT

The appellant / petitioner/ husband has filed I.D.O.P.No.70 of 2016 for divorce on the ground of cruelty. The Court below has dismissed the said petition filed by the appellant/petitioner/husband holding that he has not proved the ground of cruelty. Challenging the same, he has filed this Civil Miscellaneous Appeal.

2. When the matter came up for hearing today, the learned counsel appearing for both sides submitted that both the parties appeared before this Court today and that they have entered into a compromise. To that effect, they produced a Joint Compromise Memo, dated 19.08.2019, signed by both the parties and their respective counsel. The terms of the joint compromise memo reads as under:

"(a) In this matrimonial matter it is settled out of Court by agreement by both parties that the marriage solemnized between both parties dated on 14.07.2014 is to be divorced.

(b) It is further agreed that the only son born to them remains to be in the custody of the mother forever.

(c) It is agreed that both the parties have no



claim against each other in respect of any article or goods or utensils."

The learned counsel appearing for both sides requested this Court to allow this appeal by recording the compromise memo.

3. The above submission of the learned counsel for both sides and the Joint Compromise Memo dated 19.08.2019 are recorded. The Joint Compromise Memo shall form part and parcel of this judgment. In view of the above Joint Compromise memo, this Civil Miscellaneous Appeal is allowed and the order dated 19.01.2018 passed by the Court below is set aside and the I.D.O.P. is allowed and the appellant/petitioner/husband is hereby granted decree of divorce. Both the parties shall strictly adhere to the terms of the compromise memo. No costs.

Sd/-

Assistant Registrar (Cs-III)

// True Copy //

Sub Assistant Registrar(CS)

To

The I-Additional District Court,
Tirunelveli.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

+2 CC to Mr.P.SENTHUR PANDIAN, Advocate SR-83501.

**C.M.A(MD) .No.720 of 2018
27.08.2019**

CS(01.10.2019) 2P 6C