



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
(Civil Appellate Jurisdiction)

Thursday, the Thirty First day of October,
Two Thousand and Nineteen

PRESENT

The Honourable Mr.Justice KRISHNAN RAMASAMY

CMA (MD) . No.817 of 2018

Merlin Ebby
S/o.Yesudhasan, Navoottuvilai,
Kozhiporvilai, Kuzhicode Post,
Tiruvithamcode Post, Kalkulam Taluk,
Kanyakumari District ... Appellant/Respondent

- Vs. -

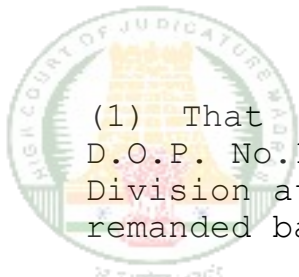
Rachel
D/o.Selvaraj,
Raj Cottage, Devicode, Midalam Village,
Udayamarthandam Post, Vilavancode Taluk,
Kanyakumari District ... Respondent/Petitioner

Prayer:-

Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act, 1869 preferred against the Fair and Decreetal order of the District Judge, Kanyakumari Division at Nagercoil dated 15.11.2016 made in D.O.P. No.110 of 2015.

DECREE:-

This Civil Miscellaneous Appeal having come up for final hearing on this date, upon perusing the grounds of Appeal, the order of the Court below and the material papers to the Appeal and upon hearing the arguments of Mr.M.R.SREENIVASAN, Advocate for the Appellant, and of MR.T.SELVAKUMARAN, Advocate for the respondent, and upon observing that the Appellant has already paid a sum of Rs.1,90,000/- (Rupees One Lakh and Ninety Thousand only) to the respondent/wife and the appellant having agreed to pay the balance amount of Rs.75,000/- (Rupees Seventy Five Thousand only), this Court while disposing of the Appeal, doth order and decree as follows:-



(1) That the fair and decreetal order dated 15.11.2016 made in D.O.P. No.110 of 2015 on the file of the District Court, Kanyakumari Division at Nagercoil be and hereby are set aside and the matter is remanded back to the Court below for adjudication;

(2) That the Appellant do pay the balance amount of Rs.75,000/- (Rupees Seventy Five Thousand only) to the respondent/wife within a period of Eight Weeks from the date of receipt of a copy of this order by way of two installments i.e a sum of Rs.40,000/- (Rupees Forty Thousand only) within a period of four weeks from the date of receipt of a copy of this order and the balance amount of Rs.35,000/- (Rupees Thirty Five Thousand only) within a period of another four weeks ;

(3) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

The District Judge, Kanyakumari Division at Nagercoil.

2. The Section Officer, V.R. Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

+1 CC to M/s.T.SELVAKUMARAN, Advocate (SR-95410 dated 01/11/2019)
+1 CC to M/s.M.R. SREENIVASN, Advocate (SR-95649 dated 01/11/2019)

ORDER DATED : 31/10/2019

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DECREE

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CMA(MD) . No.817 of 2018

Nature of Decree:- Disposing of the Appeal preferred against the order and decree dated 15.11.2016 made in D.O.P. 110 of 2015 on the file of the District Court, Kanyakumari Division at Nagercoil and giving directions etc as stated therein.

dks (CO)

TR(24.01.2020) 2P 6C

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