

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2020

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

C.M.A.Nos.345 and 346 of 2018
and
C.M.P.Nos.3387 and 3388 of 2018

Ramanujam Prabhakaran ... Appellant in
both C.M.As

Vs.

M.Devi Remya ... Respondent in
both C.M.As

Appeals filed under Section 19 of the Family Courts Act against the decretal order and judgment of VII Additional Family Court, Chennai dated 15.11.2017 made in O.P.Nos.1393 and 2135 of 2013.

For Appellant : Mr.Krishna Ravindran
in both C.M.As

For Respondent : Mr.DJ.Adinarayanan
in both C.M.As

COMMON JUDGMENT
(Delivered by M.M.SUNDRESH.,J)

These two appeals have been filed challenging the dismissal of the petition seeking divorce while allowing the petition for restitution of conjugal rights.

2.Today, both the parties are present and a memorandum of compromise dated 07.01.2020, duly signed by the parties and attested by the respective counsel, has been filed. The terms of the memorandum of compromise read as under:

1.The First Party has agreed to pay a sum of Rs.14,00,000/- (Rupees Fourteen Lakhs only) by way of Demand Draft as per details given below.

2.The First Party has paid the said sum of Rs.14,00,000/- (Rupees Fourteen Lakhs only) by way of Demand Draft as per details given below:

a.bearing No.005452 dated 04.01.2020 drawn on HDFC Bank, Gandhi Nagar, Vellore Branch for Rs.7,00,000/-.

b.bearing No.394236 dated 06.01.2020 drawn on City Union Bank Ltd., for Rs.7,00,000/-.

3.The Second Party hereby agrees to appear before the Hon'ble High Court and give her consent for recording this Memo of Compromise and agrees for the proposed order dissolving the marriage between them and recording that both parties have no claims whatsoever against each other.

4.The parties have already exchanged their gold, silver and other valuables and there shall be no claim against each other in this regard also.

5.The parties herein further declare that there has been no collusion or coercion in arriving at the present compromise.

6.It is agreed between both the parties that they will not defame or make derogatory statements against each other with regard to the above proceedings or the matrimonial issues henceforth.

7.Two copies of the present compromise have been prepared and both shall be treated as original and each party is entitled to one original. It is further prayed that this Hon'ble Court may be pleased to record the present compromise and pass an order allowing the present appeal, thereby setting aside the order dated 15.11.2017 made in O.P.No.1390 of 2013 and 2135 of 2013 passed by the learned VII Additional Family Court, Chennai and be pleased to pass an order dissolving the marriage between the parties and pass such further or other orders.

3.As agreed upon by the learned counsel for the parties, these two appeals stand disposed of in terms of the memorandum of compromise dated 07.01.2020 and the memorandum of compromise dated 07.01.2020 shall form part of the decree. No costs. Consequently, connected miscellaneous petitions are closed.

4.In view of the memorandum of compromise dated 07.01.2020, the order passed by the VII Additional Family Court, Chennai dated 15.11.2017 in O.P.Nos.1393 and 2135 of 2013 stands set aside and there shall be a decree for divorce by mutual consent. The allegations made against each other stand eschewed. We also record that the major terms have been complied with by the parties. The other requirements such as Clause 6 of the memorandum of compromise will have to be scrupulously complied with by the parties.

-s/d-

Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

The VII Principal Judge,
VII Additional Family Court, Chennai.

+2 CCS to Mr. Krishna Ravindran, Advocate sr 1636.

+2 Ccs to Mr.DJ.Adinarayanan, Advocate sr 1594

C.M.A.Nos. 345 and 346 of 2018

TM (CO)
SP (29/01/2020)

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