

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.02.2020
CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.M.A.Nos.1251 & 1252 of 2017
and
C.M.P.No.6425 of 2017

G.Alagu Ganesh ... Appellant in both appeals
(Petitioner in HMOP.589 of 2014 &
Respondent in HMOP.206 of 2016)

Vs

K.Murugajothi ...Respondent in both appeals
(Petitioner in HMOP.206 of 2016 &
Respondent in HMOP.589 of 2014)

COMMON PRAYER : Civil Miscellaneous Appeals filed under
Section 19 of Family Court's Act read with Order 41 of Civil
Procedure Code praying to set aside the Judgment and Decree
dated 30.12.2016 made in H.M.O.P.Nos.589 of 2014 & 206 of 2016
on the file of the Principal Family Court, Coimbatore.

For Appellant : Mr.M.Sriram
For Respondent : Mr.K.Myilsamy

C O M M O N J U D G M E N T

(Judgment of the Court was delivered by N.KIRUBAKARAN, J)

Both the appeals have been filed by the husband aggrieved
over the dismissal of the H.M.O.P.No.589 of 2014 filed by him
seeking for divorce and allowing of the petition filed by the
respondent in H.M.O.P.No.206 of 2016 for restitution of conjugal
rights.

2.The appellant and respondent got married on 21.06.2012.
After living together for about four months, they got separated
due to dispute among themselves. Thereafter only, the above
petitions have been filed. After contest, the divorce petition
filed by the appellant/husband was dismissed and the petition to
restore the conjugal rights filed by the respondent/wife was
allowed. Aggrieved over the said order, the present appeals have
been filed.

3.When the matter came up before this Court earlier, this
Court directed the parties to settle the matter amicably as

almost eight years have crossed after their separation and no useful purpose will be achieved without divorce.

4. When the matter is called today, both the parties appeared before this Court and they thought over and decided to settle the matter and entered into a Memorandum of Compromise signed by both the parties and by their respective Counsel. The appellant is present along with his father Mr. P. Ganesan and the respondent is present along with her sister and her husband.

5. Both the parties would submit that they have amicably settled and they agreed for divorce by mutual consent and signed the Memorandum of Compromise. In view of the above situation and the settlement made by both the parties, there is no use of continuing the marriage.

6. In view of the facts and circumstances, this Court grants the decree of divorce by consent by dissolving the marriage dated 21.06.2012 between the appellant and the respondent.

7. In the result, these appeals are disposed of in terms of Memorandum of Compromise. The Memorandum of Compromise shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

* Xerox copy of Memorandum of Compromise dated 20.02.2020 enclosed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ay

To

The Principal Family Court, Coimbatore.

Copy To

The Section Officer,
VR Section, High Court, Madras-104.

+2cc to Mr. M. Sriram, Advocate, S.R.No.15440

+1cc to Mr. K. Myilsamy, Advocate, S.R.No.14980

C.M.A.Nos.1251 & 1252 of 2017
and

C.M.P.No.6425 of 2017

SV(CO)

CS/12/08/2020