



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.M.A.Nos.3701 & 3702 of 2008

[Video Conferencing]

Dr.S.Kannan @ James

... Appellant in both CMAs.
vs.

1.T.Vimala @ Vimala Gloria Sabina

... First Respondent in both CMAs

2.Dhanapal

... Second Respondent in CMA No.3702/2008

Common Prayer:- These Civil Miscellaneous Appeals filed under Section 55 of the Divorce Act, 1869, against the fair and final order dated 09.06.2005 made in I.D.O.P.No.155 of 2000 and I.D.O.P No.90 of 2001 respectively on the file of the I Additional District Court at Salem in so far as it is against the appellant herein.

For Appellant in both CMAs : Ms.Zeenath Begum

For Respondent in both CMAs : Mr.Dhalapathy
For Mr.P.Sathish

COMMON ORDER

- 1.These Civil Miscellaneous Appeals have been filed by the appellant, against the fair and final order dated 09.06.2005 made in I.D.O.P.No.155 of 2000 on the file of the I Additional District Court at Salem.
- 2.For the sake of convenience, the parties are referred to as husband and wife respectively.
- 3.Heard the learned counsel for the appellant and the learned counsel appearing for the respondent and also perused the materials placed on record.



4.The learned counsels appearing for the both parties would submit that during the pendency of these Civil Miscellaneous Appeals, the parties have settled their dispute between themselves and entered into a compromise. Pursuant to which, a Memo of Compromise has been filed by them. The relevant portion of the Memo of Compromise, dated 22.06.2021 is extracted hereunder:

" MEMO OF COMPROMISE FILED BY THE APPELLANT AND THE RESPONDENT

4.Considering the long pending litigation and impact on their personal lives, the parties have come to a compromise on the following terms:-

- i. The respondent T.Vimala @ Vimala Gloria agrees to consent for a decree for divorce being granted in C.M.A.No.3702 of 2002, on condition, that the Appellant's allegation of adultery made against her are withdrawn,
- ii.The Appellant Dr.Kannan @ James agrees to withdraw the allegations of adultery, on condition, that the Respondent hereafter does not enter into any confrontation with the Appellant.

5.That, the parties having agreed to the terms set out in paragraph 4 set out supra, and agree that the marriage dated 2-2-1998 between the parties shall dissolved. "

5.In view of the submission made by the learned counsel on both sides and in view of the Joint Memo of Compromise, recording the same, the Civil Miscellaneous Appeals stands allowed in terms of Joint Memo of Compromise dated 22.06.2021 filed by the both parties. The Joint Memo of Compromise shall form part of the Court records. The Registry is directed to communicate the order to the I Additional District Court at Salem, along with the copy of the Joint Memo of Compromise, dated 22.06.2021.

* Herein enclosed the Xerox copy of the Memo of Compromise

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssi



To

1. The I Additional District Court,
Salem. (copy of Joint memo of compromise to be communicated)

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Copy to:

The Section Officer,
V.R. Section,
High Court,
Madras.

+1cc to M/s.V.Rajesh, Advocate Sr No.39076

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RR (CO)
PR (24/11/2021)