



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.M.A.No.178 of 2012
and M.P.No.1 of 2012

S.Nirmala Arokiyasamy

.. Appellant/Respondent

Vs.

Mr.James Maria Franklin

.. Respondent/Petitioner

PRAYER : Civil Miscellaneous Appeal is filed under Section 28 of the Hindu Marriage Act, praying to set aside the fair and decreetal order dated 03.08.2011 of the learned District Judge at Karaikal, Pondicherry, in M.O.P.No.14 of 2008 and consequently dismiss the same.

For Appellant : Mr.Bharatha Chakravarthi
for Sai Bharath Ilan

For Respondent : Mr.T.M.Naveen

J U D G M E N T

This Civil Miscellaneous Appeal is preferred to set aside the fair and decreetal order dated 03.08.2011 of the learned District Judge at Karaikal, Pondicherry, passed in M.O.P.No.14 of 2008.

2. The case is still at the stage of investigation. A Memo of Compromise has been filed.

3. Heard both sides.

4. On perusal of the memo filed on behalf of the respondent, it is seen that the respondent/father has paid a sum of Rs.8,00,000/- through Demand Draft, dated 30.03.2021, in favour of his daughter viz., Jerusha, as a lifetime maintenance and the memo also filed to that effect. As per terms of compromise, the appellant given up her right to claim maintenance.



5. In view of the above, the earlier order passed by this Court on 10.03.2021 is complied. Hence, the order passed in MOP.No.14 of 2008, on the file of the learned District Judge, Karaikal, Pondicherry District, dissolving the marriage between the appellant and respondent is confirmed. In the memo filed on behalf of the respondent, the respondent/father seeks visitation rights to see his daughter. The appellant/mother also accepted that proposal. Hence, the respondent/father is at liberty to see his daughter as and when he desires without causing any annoyance to the daughter at the time of visitation.

6. Accordingly, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

The District Judge,
Karikal, Pondicherry.

Copy To

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

+1cc to MrT.Saikrishnan, Advocate SR.No.21296

C.M.A.No.178 of 2012

RSI (CO)
GMY (25/10/2021)