



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.R.C.No.1155 of 2016

and

Crl.M.P.No.10167 of 2016

K.Palani

.. Petitioner

Vs.

1. J.Varalakshmi

2. P.Vishnu Priya

(Minor Rep. by her Mother Varalakshmi
the first respondent)

.. Respondents

Prayer : Criminal Revision case filed under Section 397 and 401 Cr.P.C. to set aside the order made in M.C.No.306 of 2008 dated 16.12.2015 passed by the Hon'ble III Additional Family Court at Chennai.

For Petitioner : Mr.K.Thangavelu

For Respondents : Mr.G.Murali

O R D E R

This petition has been filed to set aside the order made in M.C.No.306 of 2008 dated 16.12.2015 passed by the Hon'ble III Additional Family Court at Chennai.

2. The learned counsel appearing for the petitioner submitted that during the pendency of this petition, the matter has been amicably settled between the parties before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, vide Joint Memo of Compromise dated 23.12.2020.

3. It is relevant to extract the said Joint Memo of Compromise, dated 23.12.2020, entered into between the petitioner and the first respondent:

'Joint Memo of Compromise

The petitioner and the first respondent above named states that they are husband and wife. They married on 27.10.1991. From 1st March 1992 the parties are living separately and there is no possibility of reunion of this age. Now the parties considering their age, the long pending painful and endless litigations among themselves



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pending for over a period of 28 years, and after various sittings and discussion among themselves in the presence of their respective counsels and Court mediator, the parties herein have decided to put an end to the litigation and to reap piece of mind by dissolving their marriage on the petitioner praying to the first respondent, a total sum of Rs.10,00,000/-(ten lakhs only) in full quits towards past, present and future claims of maintenance, permanent alimony and all other claims and arriving at this settlement on the following terms:

TERMS

1. The petitioner agrees to pay the 1st respondent a sum of Rs.10,00,000/- (Rupees ten lakhs only) towards full quits and settlement of past, present and future claims of maintenance, permanent alimony and all other settlement by way of Bankers Cheque drawn in favour of the 1st respondent at the time of Court passing an order dissolving their marriage with took place on 27.10.1991 at Vellore North Arcot District.
2. The first respondent agreed to receive the above sum of Rs.10,00,000/- (Rupees ten lakhs only) towards full quits for the above and agree to co-operate in the petitioner getting orders in C.M.P.No.19199/2016 in C.M.S.A.S.R.32042/2014 and connected petitions on the file of the High Court Madras and to submit for an order of divorce passed in the C.M.S.A filed before the High Court Madras against her H.M.C.M.3/2013.
3. The parties here agree that they shall have no claim against each other in any manner whatsoever including exchange of articles between the parties herein.
4. It is further agreed that the second respondent who is major and married is having no right of maintenance against the petitioner.
5. The petitioners agree that neither of them will interfere with the personal life of the other and that there will not be any sort of harrassment of any sort between the families of the parties herein in relation to matrimonial or other issues of the parties herein
6. The parties specially confirmed that they are fully aware of the consequences of this compromise and they are also aware that on their failure for strict compliance of each and every terms, the affected parties have the right to proceed against the erring party for the criminal and civil



actions and thus settling their disputes.''

4. In view of the above, nothing survives for further adjudication in this petition. Accordingly, the Criminal Revision Petition is closed and the petitioner is directed to pay the amount as per the terms of Memo of Compromise, within a period of four weeks from the date of receipt of a copy of this order, failing which, the 1st respondent is granted liberty to work out her remedy in the manner known to law. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

The III Additional Judge,
Family Court,
Chennai.

+1CC to Mr.G.Murali, Advocate, Sr.No.40226

+1CC to Mr.N.A.Nissar Ahmed, Advocate, Sr.No.40481

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and
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RGN (CO)
K.RK. (20.09.2021)