



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.M.A. No. 1716 of 2021

G.Samuel Charles Johnny,
S/o.Mr.Gnanadhas,
aged about 35 years,
137/6-C, Bethel, 2nd Cross,
Tholkapier Street,
Vandalur,
Chennai 600 048.

...Appellant

Vs

V.Merlin,
D/o.Vimaldoss,
No.3-1280/1944, N.G.O.Colony,
Transport Nagar, 6th Street,
Kalanivasal, Karaikudi,
Sivagangai District 630 002.

...Respondent

PRAYER : Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act against the Judgment and Decree dated 24.02.2021 passed in F.C.I.D.O.P.No.123 of 2017 on the file of Family Court, Chengalpattu and to set aside the same.

For Appellant : Mr.J.I.Rajkumar Roberts.

For Respondent : Mr.D.Ravichandar.

J U D G M E N T

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

The Appellant has preferred this Appeal against the dismissal of divorce petition filed by him to dissolve the marriage solemnised between him and the Respondent. The appellant got married to the Respondent on 03.05.2017. The Appellant filed divorce petition before the Family Court, Chengalpattu, alleging that the Respondent committed cruelty to him. On contest, the divorce petition was dismissed, against which, only the present Appeal has been filed.



2. When the matter is called before this Court today, both Appellant and Respondent along with their respective counsel appeared before this Court.

3. Mr. D. Ravichandar, learned counsel appearing on behalf of the Respondent would submit that the Respondent is ready and agreeable for divorce. When this Court enquired the Respondent about this, she agreed to get divorce and further she submitted that she does not want any alimony from the Appellant.

4. In view of the above said categorical statement made by the parties, it is very much clear that the parties do not have any intention to live together and they want to get separated. The parties have also filed a memo of compromise dated 30.07.2021 duly signed by the parties and countersigned by their respective learned counsel, to the above said effect.

5. Therefore, the decree and judgment passed by the trial Court in F.C.I.D.O.P.No.123 of 2017 dated 24.02.2021 is set aside and the marriage solemnised between the Appellant and the Respondent on 03.05.2017 is dissolved. The memo of compromise dated 30.07.2021 filed by the parties shall form part of the decree.

6. Accordingly, the Appeal is disposed of. No costs.

Sd/-

Assistant Registrar (CS VII)

//True Copy//

Sub Assistant Registrar

Sai/Maya

To

1. The Presiding Officer,
Family Court,
Chengalpattu.

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

+1cc to Mr. D. Ravichandar, Advocate, S.R.No.38343

+4ccs to Mr. J. I. Rajkumar Roberts, Advocate, S.R.No.38637, 37918

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NSK 16/11/2021