



CMA No.3277 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM

**THE HONOURABLE MR.JUSTICE T.RAJA
and
THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

C.M.A.No.3277 of 2021 and CMP.No.18598/2021

P.Deepak Kumar

... Appellant

-VS-

Poonam Negi

... Respondent

Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act, 1984, against the Fair and decreetal order dated 05.08.2021 made in I.A.No.4 of 2021 in O.P.No.3109/2020 on the file of the learned V Additional Principal Family Court, Chennai.

For Appellant : Mr.S.Namasivayam

For Respondent : Mr.R.Y.George Williams



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JUDGMENT

(Judgment of the Court was pronounced by **T.RAJA, J.**)

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This Civil Miscellaneous Appeal has been preferred against the fair and decretal order dated 05.08.2021 passed in I.A.No.4 of 2021 in O.P.No.3109/2020 by the learned V Additional Principal Judge, V Additional Principal Family Court, Chennai.

2. To-day when the matter was called, learned Counsels appearing for the appellant-husband and the respondent-wife made a same statement one after the other that the parties are prepared to live together.

3. Since the parties have agreed for reunion, welcoming their whole hearted decision for reunion, we hereby direct the respondent-wife to come back to the matrimonial home at 4/G2-7th Main Road, Shri Kaligambal Castle, Vijayanagar, Velachery, Chennai-42 on 02.12.2021. Since it was stated that the respondent-wife is at present in New Delhi taking care of her sickly father, she can come back to her matrimonial home to join her husband.



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4. In the result, the Civil Miscellaneous Appeal is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

(T.R.J.,)

(D.B.C.J.,)

tsi

25.11.2021

To
The V Additional Principal Judge,
V Additional Principal Family Court,
Chennai.



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**T.RAJA, J.
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D.BHARATHA CHAKRAVARTHY, J.**

(Order of the Court was made by T.RAJA, J.)

This Civil Miscellaneous Appeal was listed to-day under the caption, 'for being mentioned' at the instance of the learned Counsel for the respondent-wife.

2. Learned Counsel appearing for the respondent-wife submitted that in the order dated 25.11.2021 passed in CMA.No.3277 of 2021, this Court has directed the respondent-wife to come back to the matrimonial home at 4/G2-7th Main Road, Shri Kaligambal Castle, Vijayanagar, Velachery, Chennai-42 on 02.12.2021 wherein the appellant-husband's sister is also staying. Therefore, since there is an apprehension on the mind of the respondent-wife that the appellant's sister may disturb the peaceful matrimonial life of the respondent, she has requested the appellant-husband to come and live separately in her residence at Block-A, No.208, Color Berry Apartment, Kazhipattur, Padur, Kancheepuram-603 103.

3. In reply, learned Counsel for the appellant-husband



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submitted that the apprehension of the respondent-wife is unfounded because the appellant's sister is not at all staying with the appellant at present and at no point of time, she will come and stay permanently with the appellant unless there is a courtesy visit as and when required. He further submitted that the in-laws of the respondent-wife will be staying with them only and at present, the mother-in-law is out of station due to her official work. He has also given assurance that there will not be any future problem from the side of the appellant-husband.

4. At this stage, learned Counsel for the respondent-wife also stated that if it is so, then the respondent-wife also will not create any problem. The statements made by both the learned Counsels for the appellant and the respondent are recorded.

5. Hoping that both the parties will lead a happy matrimonial life as an ideal couple, post the matter in the first week of April, 2022, 'for reporting compliance'.

(T.R.J.,)

(D.B.C.J.,)

08.12.2021

tsi



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08.12.2021



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