

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 31.03.2021

CORAM:

THE HONOURABLE MRS. JUSTICE **V.BHAVANI SUBBAROYAN, J.**

C.R.P.(NPD)No.2553 of 2019

Brindha

...Petitioner

Vs

P.Veeraragavan

...Respondent

PRAYER: Civil Revision Petition filed under Section 115 of the Code of Civil Procedure Code, to enhance the permanent Alimony from Rs.5,00,000/- to Rs.1,00,00,000/- or a reasonable amount as may be fixed by this court by modifying the order made in I.A.No.915 of 2017 in H.M.O.P.No.184 of 2014 dated 30.04.2019 on the file of the learned Subordinate Judge, at Kanchipuram.

For Petitioner : Mr.Ebenezer Paul.P

For Respondent : Mr.K.Sathishkumar

ORDER

The limited prayer sought for in the present revision petition is to enhance the permanent Alimony from Rs.5,00,000/- to Rs.1,00,00,000/- or a reasonable amount as may be fixed by this court by modifying the order made in I.A.No.915 of 2017 in H.M.O.P.No.184 of 2014 dated

30.04.2019 on the file of the learned Subordinate Judge, at Kanchipuram.

2. It is stated by the learned counsel on either side that the parties have resolved the dispute among themselves and they have entered into a settlement. They have also filed a Memo of Settlement to that effect on 24.03.2021, which reads as follows:

**MEMO OF SETTLEMENT/
COMPROMIOSE FILED BY THE PETITIONER
AND RESPONDENT**

1. *It is respectfully submitted that the above said Civil Revision petition was filed by the petitioner who obtained the Divorce Decree in H.M.O.P.No.184 of 2014 dated 30.04.2019 on the file of the Subordinate Court, Kanchipuram along with permanent alimony of Rs.5,00,000/- ordered to be paid by the respondent to the petitioner and her Minor Daughter.*

2. *It is submitted that the Criminal Case in C.C.No.283 of 2015 was also taken up by the Judicial Magistrate-II, Kanchipuram based on the charge sheet filed under Section 294(b), 498(a), 420*

& 506(i) of IPC and Section 4 of Dowry Prohibition Act, 1961 against the respondent and his Parents. Another case in D.V.No.9 of 2016 was also registered against the respondent and his parents at the instance of the petitioner.

3. It is submitted that the Judicial Magistrate-II, Kanchipuram issued Non-Bailable warrant against the respondent on 02.07.2016 which has not been executed, hence the petitioner preferred a Crl.O.P.No.6400 of 2020 before this Court and on 18.03.2020 this Court directed the Inspector of Police, All Women Police Station, Kanchipuram and the Superintendent of Police and the Secretary Ministry of External Affairs, Government of India, New Delhi to execute the Non-Bailable Warrant against the respondent within a period of 4 weeks.

4. It is most respectfully submitted that the respondent came to India from Germany on 23.12.2020 and when he landed at Kempegowda International Airport, Bangalore he was arrested by the Bangalore Airport Police and he was handed over to the All Women's Police Station, Kanchipuram on 24.12.2020 and he was remanded to Judicial Custody for 14 days by Judicial Magistrate-II, Kanchipuram. The respondent filed bail application

for releasing him on bail and the petitioner who was the Complainant said no objection for releasing him from Judicial Custody.

5. It is further submitted that in view of Divorce order passed by the learned Subordinate Judge, Kanchipuram and by persuasion of Parents and well-wishers of parties, the settlement talk was held for about 45 days and an amicable settlement was reached between the petitioner and the respondent for the interest of Minor daughter aged about 8 years and consequently the petitioner and the respondent married again. The marriage invitation was distributed to all the relatives and friends for the marriage to be held on 24.02.2021 at Shri Kachapeswarar Temple, Kanchipuram and the marriage was solemnized in the said temple between 6.00 A.M., to 7.30 A.M., in the presence of parents of the petitioner and the respondent along with friends and relatives. The said Marriage dated 24.02.2021 was solemnized between the petitioner and the respondent as per the Hindu rights and customs, the same was registered before the Marriage Registrar, Kanchipuram on 01.03.2021 and the copy of the Marriage registration certificate No.35/2021 is also been filed as proof in the type set of papers along

with this memo.

6. *It is submitted that the petitioner and the respondent jointly submitted that the Domestic Violence Case registered against the respondent and his parents was dismissed as withdrawn, since the petitioner filed a memo stating that the petitioner and the respondent arrived compromise and reunited again. By accepting the said memo, the Domestic Violence Case in D.V.No.09/2016 was dismissed by order dated 02.03.2021, by the learned Judicial Magistrate No-II, Kanchipuram.*

7. *It is submitted that the C.C.No.283 of 2015 was not contested by the petitioner due to the settlement reached and the consequential marriage took place on 24.02.2021 and therefore the respondent and his parents were found not guilty of the offences mentioned above. The said judgment was passed by the learned Judicial Magistrate-II, Kanchipuram dated 15.03.2021 also filed in the typeset of papers.*

8. *It is submitted that in view of the subsequently development i.e., remarriage of the petitioner and the respondent, the petitioner is not pressing the relief prayed for in the C.R.P.(NPD)No.2553 of 2019 as the petitioner and*

the respondent are living happily as husband and wife and there is no difference of opinion or ill feeling between the petitioner and the respondent and both of them forgot their past and resolved to live together not only for their benefits, but their child namely V.Vernika, aged about 8 years.

3. Recording the Memo dated 24.03.2021, the present civil revision petition stands disposed off. No costs.

31.03.2021

Index:Yes/No
Speaking order/Non Speaking order
sbn

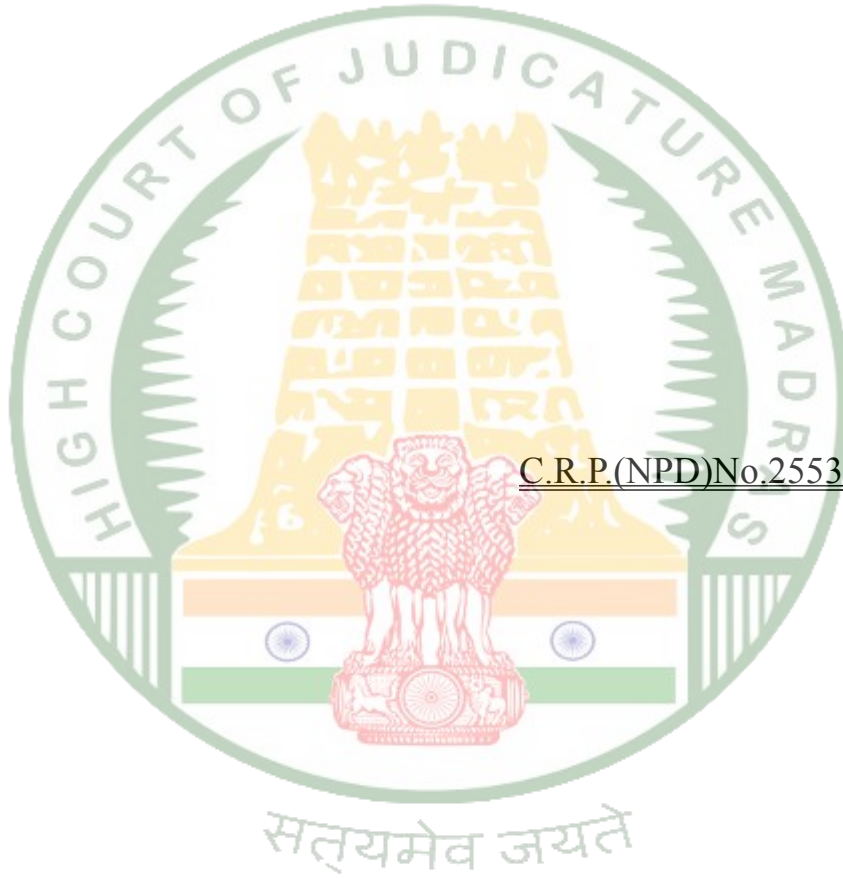
To

The Subordinate Court,
Kanchipuram.

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V.BHAVANI SUBBAROYAN, J.

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