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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2021

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THE HONOURABLE MR.JUSTICE T.RAJA
AND
THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

C.M.A.No.3296 of 2019

N.Manivannan
rep.by his Power Agent A.Premalatha
(Power Agent permitted to represent the
appellant vide order of Court dt. 18.3.2020
made in CMP No.6451 of 2020
in CMA No.3296 of 2019) .. Appellant /Respondent

-vs-

Sudarmani Sivaranjani
W/o N.Manivannan .. Respondent /Petitioner

Memorandum of Grounds of Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, against the fair and decretal order dated 25.6.2019 made in I.A.No.3669 of 2018 in O.P.No.1438 of 2018 on the file of the learned VI Additional Principal Judge, VI Additional Family Court at Chennai.

For Appellant :: Mrs.Sivasankari for
M/s.V.Shanmuga Sundaram
For Respondent :: Ms.D.Sujatha

JUDGMENT

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

This civil miscellaneous appeal has been directed against the impugned decretal order of interim maintenance dated 25.6.2019 passed in I.A.No.3669 of 2018 in O.P.No.1438 of 2018 by the learned VI Additional Principal Judge, VI Additional Family Court at Chennai.

2. Mrs.S.Sivasankari, learned counsel appearing for the appellant submitted that pursuant to the order dated 2.12.2019 passed by this Court referring the matrimonial dispute to the Mediation Centre accepting the request made by the parties, after negotiations, the parties have settled the issues, consequently, they have also filed the joint memorandum of compromise dated 14.10.2020 signed by the parties and also by



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their respective counsel, agreeing to file the petition under Section 13B of the Hindu Marriage Act before the Family Court, Chennai on 14.10.2020. So far as the custody of the minor girl Sri Sai Dharshini, aged about 6 years, is concerned, it has been agreed by the parties that the minor girl shall be with her mother Sudarmani Sivaranjani and the father Manivannan shall be having visitation rights as and when he visits India. In regard to the payment of maintenance to the minor girl and permanent alimony to the wife, the parties have agreed to accept a total sum of Rs.21,00,000/- payable by the respondent/husband. The memorandum further states that a sum of Rs.10,00,000/- had been paid on 14.10.2020 by way of bank transfer to the account of the respondent wife bearing S.B.A/c No.533102010513000 maintained with Union Bank of India, Vadapalani Branch, Chennai and the balance amount of Rs.11,00,000/- was also agreed to be paid within 30 days from the date of filing of the petition by mutual consent. However, learned counsel for the appellant stated that due to the Covid'19 pandemic situation, the petition by mutual consent was filed on 18.1.2021 and the balance amount of Rs.11,00,000/- was also paid on 27.1.2021 to the respondent. This apart, the jewels and articles of Mrs.Sudarmani Sivaranjani have also been handed over at the mediation centre and a receipt also has been issued to that effect. The respondent wife also agreed that she would withdraw the cases in D.V.C.No.102 of 2019 pending on the file of the XVIII Metropolitan Magistrate, Saidapet and in H.M.O.P.No.1438 of 2018 pending on the file of the VI Additional Principal Judge, VI Additional Family Court, Chennai at the time of presentation of mutual consent petition and would also not press any other complaint(s) made against her husband, the appellant herein or his power of attorney agent and her husband Mr.Arunachalam and that there would be no mutual claims or complaints against each other. Learned counsel appearing for the appellant further submitted that the decree of divorce by mutual consent has also been granted on 18.1.2021 by the Court below. In view thereof, they have agreed to withdraw the present appeal.

3. Therefore, placing on record the joint memorandum of compromise filed by the parties dated 14.10.2020, this civil miscellaneous appeal stands disposed of in terms of the joint memorandum of compromise, which shall form part of the decree. Needless to mention that the parties shall abide by the terms of compromise. Consequently, C.M.P.No.19190 of 2019 is closed. No costs.

Sd/-
Assistant Registrar(Audit)

//True Copy//

Sub Assistant Registrar



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To

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1. The VI Additional Principal Judge
VI Additional Family Court
Chennai.

+1cc to Mr.V.Shanmga Sundaram, Advocate, S.R.No.10108

C.M.A.No.3296 of 2019

SSI (CO)
CB(07/09/2021)