

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2021

CORAM

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

C.R.P.No.4129 of 2019
and CMP.No.26892 of 2019

G.Yuvaraj

...Petitioner

-Vs-

J.Sivaranjani

...Respondent

Prayer: Civil Revision Petition filed under Section 227 of the Constitution of India praying to set aside fair and decreetal order dated 04.07.2019 on the file of the Principal Subordinate Judge of Kancheepuram made in I.A.No.1499 of 2017 in H.M.O.P.No.141 of 2017.

For Petitioner : Mr.M.C.Swamy
For Respondent : Mr.T.Sathiyamoorthy

ORDER

This Civil Revision Petition has been filed against the order of interim maintenance passed by the Principal Subordinate Judge, Kancheepuram in I.A.No.1499 of 2017 in H.M.O.P.No.141 of 2017 dated 04.07.2019.

2. Earlier, this matter came up for hearing, at request of parties, the matter was referred to the Mediation Centre attached to this Court for arriving at amicable settlement between the parties and to submit a report before this Court for passing further orders. Pursuant to which now the mediation report is received, wherein it is stated that the parties have agreed for settlement and also filed a Joint memo compromise which reads as follows:-

''(i)The petitioner herein has deposited sum of rupees 20 lacs towards the alimony and maintenance of the respondent and their daughter by way of two fixed deposits vide

1. FDR bearing No.17145033 (Accused No 743613000291). ICICI Bank for the amount of 10 lacs maturing in 10 years in the name of Minor S.Riya (Customer ID 576643033/Savings Account 080401001054) and fixing the respondent (Customer ID

517971971/Savings Account 055801514053) as the nominee which shall not be cancelled prior to the date of maturity.

2. FDR bearing No.17145034 (Account No. 743613000293). ICICI Bank for the amount of 10 lacs maturing in 2 years in the name of S.Riya (Customer ID 576643033/Savings Account 080401001054) and fixing the respondent (Customer ID 517971971/Savings Account 055801514053) as the nominee and the amount shall be utilized for the education and welfare of the child.

The petitioner agrees to hand over the FDR bearing No.17145033 (Account No. 743613000291 & 17145034 (Account No.743613000293) as mentioned above on the date of the passing of the decree dissolving the marriage between the petitioner and respondent.

(ii) The petitioner and the respondent hereby agree that there won't be any claim on Gold jewels exchanged during the marriage solemnized on 22.05.2011

(iii) The petitioner agrees to handover the original sale deed dated 16.04.2012 bearing document No.4000/2012 on the file of the sub register Sriperumbudur (Survey No.971/IC, 971/ID) on the date of passing of the decree dissolving the marriage between the petitioner and the respondent.

(iv) The respondent and the petitioner hereby consent for the dissolution of the marriage solemnized on 22.05.2011.

(v) The petitioner and the respondent hereby agree that the allegations made against each other in their respective petition and counter in H.M.O.P.No.141/2007 and in incidental and connected proceedings on the file of the Sub Court, Kanchipuram and in this Hon'ble Court shall stand withdrawn.

(vi) The petitioner hereby agree and consent that the child shall be in the care and custody of the respondent and the respondent agree and consent that the petitioner shall have visitation rights to visit the child every third Sunday of the month on any other day fixed by mutual agreement at least a week in advance.

(vii) Both the parties hereby agree that each of them shall not have any claim whatsoever against each other. It is therefore prayed that this Hon'ble Court may be pleased to dispose of the above said C.R.P.No.4129 of 2019 and H.M.O.P.No.141 of 2017 in terms stated above. ''

3. Today, both the petitioner/husband and the respondent/wife, are present before this Court along with their respective counsels, and stated that both of them have settled the dispute, and filed the joint memo of compromise.

4. Recording the above submission so made on either side, this Civil Revision Petition is closed. The Joint compromise memo shall form part of the order. Consequently, connected miscellaneous petition is closed. The learned counsel appearing for the petitioner submits that the Court below may be directed to pass appropriate orders within a time fixed by this Court. Considering the request of the learned counsel on record, the Principal Sub Court, Kancheepuram is directed to dispose the HMOP No.141 of 2017, as per the joint compromise memo entered between the parties on or before 26.03.2021.

*Xerox copy of Memo of Compromise Enclosed

Sd/-
Assistant Registrar (CS VII)

//True copy//

Sub Assistant Registrar

msrm

To

1.The Principal Sub Judge,
Kancheepuram.

2.The Section Officer,
V.R.Section, High Court, Madras.

+1cc to Mr.M.C.Swamy, Advocate SR.No.12601

C.R.P.No.4129 of 2019

KKV/05/03/2021

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