



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A (MD) Nos.141 & 142 of 2019

and

C.M.P (MD) No.1750 of 2019

K.Karthick

... Appellant/
Respondent in both C.M.As'

Vs.

Arunmozhi

... Respondent/
Petitioner in both C.M.A's

Common Prayer: Civil Miscellaneous Appeals filed under Section 19 of the Family Courts Act, 1984 against the fair and decreetal order, dated 22.10.2018 passed in H.M.O.P.Nos.648 and 674 of 2018 respectively on the file of the Family Court, Madurai.

For Appellant : Mr.G.Aravinthan
(In both C.M.As')

For Respondent : Mr.R.Venkateshwaran
(In both C.M.As')

JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)**

These Civil Miscellaneous Appeals are filed by the appellant/husband against the fair and decreetal order, dated 22.10.2018 passed in H.M.O.P.Nos.648 and 674 of 2018 respectively on the file of the Family Court, Madurai.

2.When the appeals were taken up for hearing, it is stated that there was a settlement between the parties and they have entered into a memorandum of compromise on 31.03.2021, which are reduced to writing, the terms of which are as follows:-

"(i) The appellant and the respondent agree to have the marriage solemnized between them on 23.06.2016 at Seeniappa Nadar - Palaniammal Marriage Hall at Manamadurai, dissolved by a decree of mutual consent.

(ii) The parties agree to have the petitions amended and converted into one for the grant of divorce on the



ground of mutual consent being the subject matter of the present Civil Miscellaneous Appeals in accordance with law and the procedure.

(iii) The appellant and the respondent hereby agree that they are withdrawing all the allegations made by them against each other and the parties hereto, thereafter have no mutual or other claims in respect to any issue, in between themselves, either in relation to the properties belonging to each other.

(iv) Both the parties have arrived at settlement amicably and it is decided between the parties and accordingly agreed that the appellant had given a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) vide Demand Draft in D.D.No.326102, dated 26.03.2021, drawn on Union Bank of India, G.K.N.M Hospital Branch (taken in the name of the respondent) to the respondent and the respondent agrees to receive the said amount in full quit and full satisfaction of the past, present and future maintenance, any other right from the appellant, in view of her agreement to have the marriage dissolved by consent.

(v) The parties hereto thereafter are at liberty to have their own future set up in the manner as they prefer and desire, and none of the parties have any claim whatsoever against each other."

3.The memorandum of compromise, dated 31.03.2021, filed by the parties, counter-signed by their counsel, is taken on record.

4.Recording the same, the marriage between the appellant and the respondent which was solemnized on 23.06.2016 is dissolved by a decree of divorce by mutual consent.

5.In view of the same, these Civil Miscellaneous Appeals are disposed of in terms of the memorandum of compromise, dated 31.03.2021, which shall form part and parcel of the judgment and decree. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

- 1.The Judge,
Family Court,
Madurai.
- 2.The Record Keeper, VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.G.ARAVINTHAN, Advocate (SR-14786[F] dated 31/03/2021)

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31.03.2021

KM(04.06.2021) 3P 5C