



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

C.M.A(MD)NO.454 of 2021

and

C.M.P(MD)No.3980 of 2021

Priyasaraswathy

:Appellant/Respondent

/vs/

Annamalai

:Respondent/Petitioner

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act praying this Court to set aside order dated 10.2.2021, made in O.P.No.1074 of 2019, on the file of Family Court, Madurai.

For Appellant

:Mrs.AL.Ganthimathi

For Respondent

:Mr.VR.Shanmuganathan

JUDGMENT

[Judgment of the Court was made by **K.KALYANASUNDARAM, J.**]

This Civil Miscellaneous Appeal is directed against the order passed in O.P.No.1074 of 2019, dated 10.2.2021, whereby, the Family Court, Madurai dissolved the marriage solemnized between the appellant and the respondent on 18.11.2020.

2.On 19.6.2021, this Court at the request of the learned counsel appearing for the appellant and the learned counsel appearing for the respondent referred the matter to meditation appointing Mr.Pala Ramasamy, learned counsel as Mediator in this Case.

3.It appears that the parties have arrived at a settlement and the same is reduced into writing and a Joint Compromise memo, dated 17.7.2021, signed by both the parties as well as their respective counsels, is submitted before this Court.

4.The respondent Annamalai appeared before this Court through video conferencing and stated that he is agreeable to the terms of the settlement and he undertakes to pay a sum of Rs.40 lakhs to the appellant/wife as full and final quit towards permanent alimony within two months from today, which is also agreeable by the appellant. On enquiry, the respondent has stated that the dispute between them have been amicably settled.



5. The terms of the Joint Compromise memo reads as follows:

'1.Both the parties agreed to the decree and judgment dated 10.2.2021 passed by the Honourable Family Court in O.P.No.1074 of 2019.

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2.The respondent Mr.Annamalai has agreed to pay a sum of Rs.40,00,000/- to the Petitioner towards all her claim as full and final quit including permanent alimony. The said amount was agreed to be paid by way of Demand Draft within two months from today.

3.Jewels, Diamond and other valuable wearing apparels are in the safe locker unit maintained by ''Golden Singar Locker'' at Karaikudi. It is jointly operated by both the parties. Both will take their respective valuables on a mutually agreed date by their counsel from ''Golden Singar Locker'' Unit and the locker unit will be closed and surrendered.

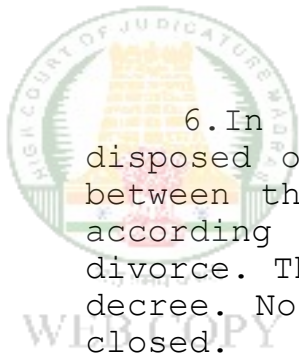
4.The Golden Bangle with green stud of the appellant Mrs.Priya Saraswathi will be delivered by the respondent Mr.Annamalai on the date of closure of the locker as stated supra.

5.The other movables ie., utensils given at the time of marriage as per their custom to Mrs.Priya Saraswathi by her parents is available at a rented room in Kandanoor and the respondent Mr.Annamalai has got ''No objection''for taking delivery of the said articles.

6.Both the parties have mutually decided and purchased two plots, one at Hosur and another at Viralimalai from and out of the Sridhana Fund in the name of the appellant herein. It is now agreed both the original sale deeds will be delivered by respondent Mr.Annamalai to appellant Mrs.Priya Saraswathi on the date of closure of locker, as stated supra.

7.Both the parties have mutually agreed that, two wooden Almirahs of the appellant and available at Kottaiyur will be delivered by the respondent Mr.Annamalai to appellant Mrs.Priya Saraswathi on the date of closure of locker, as stated supra.

8.Both the parties agreed that, there are no other claims against each other and no other litigation pending for adjudication. If anything surfaces both the parties agreed to withdraw the same. ''



6.In view of the same, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Compromise Memo. The marriage between the appellant and the respondent solemnized on 18.11.2010 according to Hindu rites and customs is dissolved by a decree of divorce. The Joint Compromise Memo shall form part and parcel of the decree. No costs. Consequently, connected Miscellaneous Petition is closed.

7.This Court appreciates Mr.Pala Ramasamy, learned counsel/Mediator, for the valuable service rendered by him in this matter.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

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.

Xerox Copy of Joint Compromise Memo
To

- 1.The Judge,
Family Court,
Madurai.
- 2.The Record Keeper, (2C)
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.
- 3.Mr.Pala Ramansamy,
No.72, Palam Street,
Sellur,
Madurai

+1 CC to M/s.AL.GANTHIMATHI, Advocate (SR-24642[F] dated 30/07/2021

C.M.A(MD) NO.454 of 2021

and

C.M.P (MD) No.3980 of 2021

30.07.2021

SE (CO)

KB(18.08.2021) 3P 6C

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