



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2021

CORAM:

The Hon'ble Mr.JUSTICE T.S.SIVAGNANAM

AND

The Hon'ble Mrs.JUSTICE S.ANANTHI

C.M.A. (MD) .No.312 of 2020

M.Veeralakshmi

...Appellant/Petitioner

Vs.

Sathish Kumar

...Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 19 of the Family Courts Act, 1984 r/w Section 28 of the Hindu Marriage Act, 1955, praying to allow this C.M.A by setting aside the Order and Decree made in H.M.O.P.No.35 of 2018, dated 19.11.2019 on the file of the Family Court, Srivilliputtur.

For Petitioner : Mr.M.Thirunavukkarasu

For Respondent : Mr.T.Satheesh Kumar,
Party in Person.

J U D G M E N T

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

This Appeal has been filed by the wife challenging the order passed by the Family Court, Srivilliputhur dismissing the H.M.O.P.No.35 of 2018 filed by the appellant for a decree of divorce to desolve the marriage between the appellant and the respondent which was solemnized on 23.02.2017. During the pendency of the appeal, the parties have entered into a compromise and joint memo of compromise had been filed by the appellant/wife and the respondent/husband. The Memo of Compromise is as follows;

"1. That the appellant / Wife has already obtained the jewels from her husband / Respondent, which was given by her parents during the time of their marriage. There are no movables and immovables properties of the Appellant / Wife in possession of the Respondent / Husband and the same is hereby admitted by the Appellant / Wife.

2. That the Respondent / Husband agreed to give his consent for granting divorce to dissolve the marriage solemnized on 23.02.2017 between him and the Appellant / Wife. Moreover either party have no objection in getting married to any other person.

3. That the Appellant / Wife agrees that she will not initiate any proceedings against the Respondent/ Husband seeking for maintenance and also

~~agrees that she will not initiate any suit seeking~~



for rights in the properties of the Respondent / Husband. Out of the said wedlock there are no issues to them."

2. The appellant/M.Veeralakshmi has appeared before this Court through Video conferencing and the counsel for the appellant has also appeared. The respondent/husband Sathish Kumar has appeared through video conferencing, but, he has appeared in person and he has not engaged any counsel. The appellant has been identified by the learned counsel appearing for the appellant and the respondent Sathish Kumar is also present in the office of the counsel for the appellant and he has also been identified.

3. Thus, we record the joint of memo of compromise between the appellant and the respondent and accordingly, C.M.A.No.312 of 2020 is allowed based on the joint memo of compromise. Consequently, H.M.O.P(No.).35 of 2018 is allowed and a decree of divorce is passed dissolving the marriage solemnized between the appellant and the respondent on 23.02.2017. The parties have agreed that they have no claim against each other in the joint memo of compromise and the same is placed on record. The joint Memo of compromise may form part and parcel of this Judgement.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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.

Encl:Xerox copy of Joint Compromise memo.

To

The Judge,

Family Court, Srivilliputtur.

Copy to:

The Section Officer,

VR Section,

Madurai Bench of Madras High Court,

Madurai.(2 Copies)

+1 CC to M/s.M.THIRUNAVUKARASU, Advocate (SR-19195[F] dated 11/06/2021)

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