



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Civil Appellate Jurisdiction)

Monday, the Twenty Ninth day of November Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice S.ANANTHI

CMA(MD)No.718 of 2020

J.JOHNSON MUTHUSAMY

... APPELLANT/PETITIONER-HUSBAND

Vs

MUTHUVENI @PUNITHA

... RESPONDENT/RESPONDENT-WIFE

Prayer :- Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act, to set aside the fair and decreetal order dated 13.07.2020 passed in I.D.O.P.No.28 of 2018 by District Court, Dindigul.

Decree:- This Civil Miscellaneous Appeal coming on for hearing on this day, upon perusing the grounds of Appeal, the order of the Tribunal and the material papers of the Appeal and upon hearing the arguments of Mr.N.Marimuthu, Advocate for the Appellant, and Mr.D.Venkatesh, Advocate for the Respondent, and having settled their differences and entered into a compromise between themselves and through their respective counsels and having filed the memo of compromise duly signed by the both parties as well as by their Advocates dated 06.10.2021 and this Court while allowing the Civil Miscellaneous Appeal in terms of the memo of Joint Compromise dt.06.10.2021, doth order and decree as follows:-

1)that the Judgment and Decree passed in I.D.O.P.No.28 of 2018 by the District Judge, Dindigul, be and hereby is set aside.

2)that the terms of the Joint Compromise Memo are as follows:-

"(a)The appellant has agreed to pay a sum of Rs.1,10,000/- to the respondent as full and final settlement towards permanent alimony by cash and the respondent has received the said sum in the presence of her counsel. The respondent also undertakes she did not claim any maintenance in future by filing any applications before any court of law either montly maintenance or permanent alimony;



b)The respondent without admitting the averments made in the application filed by the appellant in I.D.O.P.No.28 of 2018 on the file of the Principal District Court, Dindigul, hereby give her consent for allowing the present civil miscellaneous appeal and thereby granting divorce between herself and the appellant....."

3)That there be no costs in this Civil Miscellaneous Appeal.

(Original of Memo of Joint Compromise is annexed herein)

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO
The District Judge,
Dindigul (A copy of the memo)

Copy to:

The Record Keeper, (2C)
V.R. Section,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.S.RAMU, Advocate, SR.No.36362

ORDER DATED : 29/11/2021

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DECREE

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CMA(MD)No.718 of 2020

Nature of Decree:- Allowing the Civil Miscellaneous Appeal preferred against the District Judge, Dindigul, dated 13.07.2020 made in I.D.O.P.No.28 of 2018 in terms of Joint Compromise Memo.

KB(28.01.2022) 2P 5C