



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

C.M.A (MD) No.570 of 2015

and

M.P (MD) No.1 of 2015

A.Lakshmi

... Appellant/Respondent

Vs.

S.Ambalavanan

... Respondent/Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act, 1980 against the fair and decreetal order, dated 08.04.2015 passed in H.M.O.P.No.286 of 2014 on the file of the Family Court, Tirunelveli.

For Appellant

: Mr.P.M.Vishnuvarthanan

For Respondent

: Mr.T.Selvam

JUDGMENT

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

This Civil Miscellaneous Appeal is arising out of matrimonial proceedings, wherein, the appellant / wife has preferred this appeal against the grant of decree of divorce, dated 08.04.2015 in H.M.O.P.No.286 of 2014 on the file of the Family Court, Tirunelveli.

2.The matter has been kept pending before this Court for more than five years and now, it is stated that the parties have entered into a compromise, which is reduced to writing.

3.Today, when the matter is taken up for hearing both the appellant/wife and the respondent/husband are present before this Court through video conferencing, assisted by their respective counsels and the parties have accepted the terms of joint compromise memo filed by them.

4.The joint compromise memo filed by the appellant/wife and the respondent/husband, dated 09.01.2021, is as follows:

"The above appeal filed by the appellant / wife challenging the order passed by the Family Court in H.M.O.P.No.286 of 2014 (on the file of the Family Court, Tirunelveli) filed by the respondent / husband. Pending the above appeal both the appellant / wife and the



respondent / husband, amicably settled their own matrimonial dispute and now peacefully living together under one roof.

The respondent / husband agreed to allow the above C.M.A(MD)No.570 of 2015 by setting aside the Judgment and Divorce granted in H.M.O.P.No.286 of 2014, dated 08.04.2015 on the file of the Family Court, Tirunelveli, in view of this joint compromise memo. Both the appellant and the respondent mutually agree for the above terms and conditions and to close the above C.M.A(MD)No.570 of 2014 without any coerce and force and their respective photographs also annexed in this compromise memo and affix their signature before Notary Public.

Kindly accept this joint compromise memo and allow the C.M.A(MD)No.570 of 2015 in terms of this compromise memo".

5.The joint compromise memo, dated 09.01.2021, filed by the parties, counter-signed by their counsel, is taken on record.

6.In the result, the Civil Miscellaneous Appeal is Allowed in terms of the joint compromise memo filed by the parties. The decree of divorce granted by the Family Court, Tirunelveli in H.M.O.P.No.286 of 2014, dated 08.04.2015, is set aside. The said joint compromise memo, dated 09.01.2021 shall form part of the decree. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ps

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,
Tirunelveli.

2.The V.R Section (Records),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.M.P.SENTHIL, Advocate (SR-1696[F] dated 21/01/2021)

C.M.A(MD)No.570 of 2015
20.01.2021

VB (08.02.2021) 3P 5C