



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI**

**( Civil Appellate Jurisdiction )**

**Thursday, the Nineth day of September Two Thousand and Twenty One**

WEB COPY

**PRESENT:**

**The Hon'ble Mr. Justice A.D. JAGADISH CHANDIRA**

**C.M.S.A(MD)No.51 of 2016**

M.SANTHIYA

... Appellant/Respondent/Petitioner.

Vs

K.MANIKANDAN

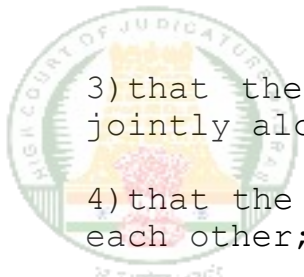
... Respondent/Appellant/Respondent.

Civil Miscellaneous Second Appeal filed under Section 28 of the Hindu Marriage Act and Section 100 of C.P.C., against the judgment and decree of the lower appellate court made in C.M.A. No.18 of 2014, dated 19/07/2016 on the file of the Additional District Judge, Dindigul, reversing the judgment and decree of the trial court made in H.M.O.P.No.82 of 2009, dated 09/04/2013 on the file of the Subordinate Judge, Palani.

**DECREE:-**This Appeal coming on for hearing on this date, upon perusing the grounds of Appeal, the judgment and decrees of the Lower Appellate Court and the Court of First Instance and the material papers thereon and upon hearing the arguments of MR.M.SARAVANAN, Advocate for the Appellant and of MR.V.S.KARTHI, Advocate for the Respondent, herein having filed the Memo of Joint Compromise duly signed by the both parties as well as by their Advocates dated 09/09/2021, this court while disposing the Civil Miscellaneous Second Appeal by recording the said memo of compromise, doth order and decree as follows:-

1)that on the terms of the Joint Compromise Memo dated 09/09/2021, filed herein the appellant and the respondent herein consented to set aside the decree dated 09/04/2013 passed by the Sub Court, Palani in H.M.O.P. No.82 of 2009 and the judgment and decree dated 19/07/2016 passed by the Additional District Judge's Court, Dindigul in C.M.A. No.18 of 2014;

2)that the judgment and decree in C.M.A(MD)18 of 2014, dated 19/07/2016 on the file of the Additional District Judge, Dindigul be and hereby is set aside and the H.M.O.P. No.82 of 2009 on the file of the Subordinate Judge, Palani, is dismissed as not pressed;



3)that the appellant and the respondent have reunited and living jointly along with the child;

4)that the appellant and the respondent have no mutual claim against each other;

5)that the Joint Compromise Memo dated 09/09/2021 filed herein shall form part and parcel of the judgment herein and

6)that there be no costs in this Civil Miscellaneous Second Appeal.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1.The Additional District Judge, Dindigul.

2.The Subordinate Judge, Palani.

Copy to: The Section Officer, V.R. Section,  
Madurai Bench of Madras High Court, Madurai(2 Copies)

+1 CC to M/s.R.SUBRAMANIAN, Advocate ( SR-28771 dated 09/09/2021 )

ORDER DATED : 09/09/2021

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DECREE

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**C.M.S.A(MD)No.51 of 2016**

Disposing the Civil Miscellaneous Second Appeal preferred against the judgment and decree made in C.M.A. No.18 of 2014 , dated 19/07/2016 on the file of the Additional District Judge, Dindigul, reversing the judgment and decree made in H.M.O.P. No.82 of 2009, dated 09/04/2013 on the file of the Subordinate Judge, Palani.

MGJ/JGB(15.11.2021) 2P 6C