



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2021

CORAM

WEB COPY

THE HON'BLE MRS.JUSTICE J.NISHA BANU

C.M.A. (MD) No.789 of 2019

T.Austin Paul Joseph

...Appellant/Petitioner

-Vs-

S.Gladies Kamalam

...Respondent/Respondent

Prayer : This Civil Miscellaneous Appeal has been filed under Section 55 of Divorce Act, 1869 r/w order 43 Rule 1 of C.P.C., to call for the records pertaining to the Judgment and Decree passed in D.O.P.No.65 of 2017 on the file of the learned Principal District Judge, Thoothukudi dated 05.09.2019 and to set aside the same by allowing this appeal.

For Petitioner

: Mr.C.M.Arumugam

For Respondent

: Ms.Jessi Jeevapriya

JUDGMENT

This Civil Miscellaneous Appeal has been filed to call for the records pertaining to the Judgment and Decree passed in D.O.P.No.65 of 2017 on the file of the learned Principal District Judge, Thoothukudi dated 05.09.2019 and to set aside the same by allowing this appeal.

2.The above Civil Miscellaneous Appeal has been filed against the order passed in D.O.P.No.65 of 2017 where the learned Judge has dismissed the divorce petition filed by the appellant/husband. When the matter was taken up for hearing on 05.02.2021, at request of the learned counsel for the appellant as well as the respondent, the matter has been referred to the Mediation and Conciliation Centre attached to this Bench for amicable settlement where both parties have entered compromise and agreed for dissolution of marriage by mutual counsel. The Mediation Report along with settlement agreement signed by the appellant, respondent and their respective counsels, has been filed before this Court to that effect.



3. In view of the settlement agreement dated 22.02.2021 signed by the appellant, respondent and their respective counsel, the Civil Miscellaneous Appeal is closed. No costs. The parties shall abide by the terms and condition of the agreement entered into between themselves before the Mediation. The joint compromise memo shall form part and parcel of this order.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

msa

ENCL.: XEROX COPY OF JOINT COMPROMISE MEMO.

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 Principal District Judge,
Thoothukudi

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

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-8956[F] dated
05/03/2021)

C.M.A. (MD) No.789 of 2019

03.03.2021

sgs (CO)

TR(30.04.2021) 2P 5C