



IN THE HIGH COURT OF JUDICATURE AT MADRAS

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HON'BLE MRS.JUSTICE J.NISHA BANU

Civil Miscellaneous Second Appeal Nos.24 & 25 of 2011

R.Jaikumar ... Appellant/Respondent in
CMSA.Nos.24,25/2011

Vs.

Lavanya ... Respondent /in Petitioner
CMSA.Nos.24,25/2011

Prayer

Civil Miscellaneous Second Appeals filed under Section 28 of Hindu Marriage Act read with Section 100 CPC against the judgment and decree granted in C.M.A.No.9 of 2009 and C.M.A.No.10 of 2009 dated 11.01.2011 on the file of the Additional District Judge, Fast Track Court No.II, Poonamallee, Thiruvallur District preferred against the judgment and decree granted in H.M.O.P.No.18 of 2008 and 240 of 2008, dated 26.06.2009 on the file of the Subordinate Court, Poonamallee, Thiruvallur District.

Decree:

These Civil Miscellaneous Appeals coming on for hearing on this day, in the presence of Mr.R.Saseetharan, Advocate for the Appellant in both the appeals and Mr.K.Premkumar, Advocate for the Respondent in both the appeals, and the parties herein, having entered into a compromise between themselves and having filed into court the memo of compromise requesting the court to pass a decree in terms thereof, and upon perusing the grounds of Appeal, the Judgment and decrees of the Courts below and the material papers available in this case and the memo of compromise is arrived at voluntarily and no coercion or undue influence has been made upon in filing, duly signed by the parties and their respective advocates, record the said memo of compromise dated 31.03.2022, the original of which is annexed herewith, and the appellant/husband having paid a sum of Rs.50,00,000/- (Rupees Fifty lakhs only) on 30.03.2022 to the respondent/wife by way of Demand Draft bearing no.345245 dated 24.03.2022 drawn on State Bank of India, Ellangakuruchi, Tiruchirapalli District and the same having been accepted by the respondent/wife on the same day, on behalf of minor Child J.Suppriya Sree, for her welfare as a natural guardian/mother, in lieu of full and final settlement and minor child right's of property, this court while dis-



posing of this Civil miscellaneous appeal, doth order and decree as follows:-

1. that the marriage between both the parties, viz., R.Jaikumar and Lavanya solemnized on 06.06.2004 at R.V.Kalyana Mahal, Manaparai, Tiruchirapalli District, be and hereby is dissolved on mutual consent through a Decree of Divorce; and
2. that both the parties shall agree that the respondent/wife shall act as Natural Guardian for the welfare of minor child and shall have the right of custody of minor child; and
3. that both the parties shall agree that the appellant/husband shall have no right over the custody of minor child, including visitation rights; and
4. that the respondent/wife as a Natural Guardian of the minor child shall deposit the above mentioned sum of Rs.50,00,000/- (Rupees Fifty lakhs only) on 30.03.2022 by way of Demand Draft bearing no.345245 dated 24.03.2022 before any Nationalised Bank of herself in the name of the minor child and the respondent/wife shall have right to withdraw the accrued periodical interest and the right of utilising the same for the welfare of the minor child; and
5. that both the parties shall agree that their minor child J.Suppriya Sree on attaining the age of majority, shall acquire the right to withdraw the deposited amount, together with interest, either periodically or in lumpsum and shall have the right to utilise the same for her welfare; and
6. that both the parties do agree that they do not have any mutual claims against each other, at present and in future; and
7. that both the parties jointly states that the present memo of compromise be and hereby entered into between them, be free from any influence coercion and force, but voluntarily for themselves and on behalf of minor; and
8. that there be no costs in this appeal.

*Herein enter Joint Memorandum of Compromise dated 31/03/2022

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar



1. The Additional District Judge,
Fast Track Court No.II,
Poonamallee, Thiruvallur District

2. The Subordinate Judge,
Poonamallee, Thiruvallur District.

COPY TO

3. The Section Officer,
VR Section,
High Court, Madras-104.

+2cc to Mr.R.Saseetharan, Advocate, S.R.No.22164

+2cc to Mr.K.Premkumar, Advocate, S.R.No.22199

C.M.S.A.Nos.24 & 25 of 2011

DATED: 31/03/2022

DECREE

Allowing the Civil Miscellaneous Second Appeals in terms of Compromise preferred against the judgment and decree granted in C.M.A.No.9 of 2009 and C.M.A.No.10 of 2009 dated 11.01.2011 on the file of the Additional District Judge, Fast Track Court No.II, Poonamallee, Thiruvallur District preferred against the judgment and decree granted in H.M.O.P.No.18 of 2008 and 240 of 2008, dated 26.06.2009 on the file of the Subordinate Court, Poonamallee, Thiruvallur District, etc., as stated therein. etc., as stated within stated therein.

PPA (CO)
CT 19/05/2022