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C.M.A.No.1353 & 1360 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.M.A.Nos.1353 & 1360 of 2021

S.Sathish Kumar

.. Appellant in both appeals

Vs.

Kavya Chintamani

.. Respondent in both appeals

Common Prayer: These Civil Miscellaneous Appeals are filed under Section 19 of the Family Courts Act, 1984, against the common order and decree dated 30.12.2020 made in O.P.Nos.618 of 2015 & 2274 of 2016 on the file of the III Additional Principal Judge, Family Court, Chennai.

(In all appeals)

For Appellant : Ms.Sheila Haemavathy Samuel

For Respondent : M/s.L.Vasanthalakshmi

COMMON JUDGMENT

(Judgment of the Court was delivered by V.M.VELUMANI,J.)

The appellant/husband filed O.P.No.618 of 2015 on the file of the



III Additional Principal Judge, Family Court, Chennai, under Section 12(1)(c) of the Hindu Marriage Act, 1955, for dissolving the marriage between the appellant and respondent that took place on 20.11.2013 on the ground of non-consummation of the marriage because of the impotency. The respondent/wife filed O.P.No.2274 of 2016 under Section 9 of the Hindu Marriage Act, 1955, for restitution of conjugal rights.

2.By the common order dated 30.12.2020, the learned III Additional Principal Judge dismissed O.P.No.618 of 2015 and allowed O.P.No.2274 of 2016.

3.Challenging the said common order and decree dated 30.12.2020 made in O.P.Nos.618 of 2015 & 2274 of 2016, the appellant has come out with the present appeals.

4.When the matter is taken up for hearing today, both the appellant and respondent appeared before this Court. They were identified by their respective counsel. The learned counsel appearing for the appellant and respondent along with the parties represented that the parties have arrived at the settlement and are filing a Joint Memo of Compromise dated



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29.08.2022, duly signed by both the appellant as well as respondent and their respective counsel and prayed for passing of decree of divorce by mutual consent. Both the appellant and respondent mutually agrees and prayed for dissolution of marriage conducted between them on 20.11.2013.

5.The said Joint Memo of Compromise dated 29.08.2022, duly signed by both the appellant as well as respondent and their respective counsel is taken on file and the same is recorded. Recording the Joint Memo of Compromise dated 29.08.2022 and the submissions of the learned counsel appearing for the appellant as well as the respondent, these Civil Miscellaneous Appeals are disposed of by dissolving the marriage solemnized between the appellant and respondent on 20.11.2013 in terms of joint memo of compromise. The Joint Memo of Compromise dated 29.08.2022 shall form part of the decree. No costs.

(V.M.V., J) (S.S., J)

29.08.2022

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Index : Yes / No

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V.M.VELUMANI, J.

and

S.SOUNTHAR, J.

gsa

To

- 1.The III Additional Principal Judge,
Family Court,
Chennai.
- 2.The Section Officer,
VR Section,
High Court,
Madras.

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