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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.M.S.A.Nos.15 and 16 of 2016
and C.M.P.No.7671 of 2016

Ramprasad .. Appellant/ Respondent/Petitioner in
both CMSAs.

Vs.

Padmavathi .. Respondent/Appellant/Respondent in
both CMSAs.

COMMON PRAYER: Civil Miscellaneous Second Appeals filed under Section 28 of Hindu Marriage Act read with 100 C.P.C., against the judgment and decree dated 08.06.2015 in C.M.A.Nos.10 and 9 of 2012 on the file of the Additional District Court, Dharmapuri, reversing the judgment and decree dated 24.09.2012 made in H.M.O.P.Nos.32 of 2010 and 48 of 2012 on the file of the Sub Court, Harur.

In both CMSAs.

For Appellant : Mr.T.Panchatsaram

For Respondent : Mr.Arun Anbumani

C O M M O N J U D G M E N T

(This matter is heard through "Video Conferencing")

Both the learned counsel appearing for the appellant as well as the learned counsel appearing for the respondent submitted that the parties have arrived at a settlement and they have filed joint memo of compromise signed by both the appellant and respondent and also by their respective counsel.

2.Both the appellant and the respondent appeared before this Court on 16.12.2021. Today, the respondent appeared through Video-conferencing and submitted that she has received a sum of Rs.5,00,000/- (Rupees Five lakhs only) from the appellant and also the jeweleries and other articles from the appellant. Clause-5 of the said memo of compromise is extracted hereunder:

"5.Accordingly, the Appellant and the Respondent, out of their free will, volition and wish have entered into a compromise on the following terms:



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a. The Appellant and the Respondent agree to dissolve their marriage solemnized on 24-09-2006 as per Hindu rites and customs at Sri Valli Deivanai Sametha Subramania Swami Thirukoil, Vinayagar koil street, Dharmapuri Road, without reference to any of the allegations made against each other, by a decree to be passed by the Hon'ble High Court, Madras.

b. The Respondent agrees to receive a sum of Rs.5,00,000/- (Rupees Five Lakhs only) towards permanent alimony from the Appellant, which sum is being paid to the Respondent by the Appellant vide Demand Draft No.497059 dated 21-12-2021 drawn on Indian Bank, Dharmapuri Branch. The said Demand Draft will be handed over on 03-01-2022 before the Hon'ble High Court, Madras.

c. The Appellant has today (01-01-2022) returned all the jewellery and valuables of the Respondent and also the sridhana articles given to the Respondent by her family at the time of the marriage and which were all available at the Appellant's house.

d. Both the Appellant and the Respondent forego all their claims whatsoever against each other in respect of their marriage that took place on 24-09-2006 and declare that they have no claims whatsoever against each other for the past, present or future in any manner.

e. Both the Appellant and the Respondent agree not to indulge in any activities that may disturb or cause hindrance to each other and/or follow each other in future in any manner. The Appellant and the Respondent are free to lead their respective lives on their own will and wish."

3. Recording the above submissions and memo of compromise, these Civil Miscellaneous Second Appeals are disposed of and decree of divorce is passed as per clause 5(a) of memo of compromise. The joint memo of compromise shall form part of this judgment. No costs. Consequently, connected Miscellaneous Petition is closed.

(*) Enclosed the Xerox Copy of Joint Memo of Compromise.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar



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To

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1.The Additional District Judge
Dharmapuri.

2.The Subordinate Judge
Harur.

Copy To:

The Section Officer,
V.R Section, High Court
Madras.

C.M.S.A.Nos.15 and 16 of 2016
and C.M.P.No.7671 of 2016

VBM(CO)
SB(04/04/2022)