



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

C.M.A.No.1655 of 2020

R.Suresh ... Appellant/Petitioner

Vs.

S.Shalini ... Respondent /Respondent

Prayer:Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act, praying to set aside the fair and decreetal order dated 31.01.2020 made in I.D.O.P.No.367 of 2016 on the file of the learned VII Additional Family Court (VII Additional Principal Judge, Chennai).

For Appellant : Mr.M.Vijayakumar

For Respondent : Ms.M.Sophia

J U D G M E N T

[Judgment of the Court was delivered K.KALYANASUNDARAM, J]

This appeal has been filed challenging the order passed by the VII Additional Principal Judge, Family Court, Chennai in I.D.O.P.No.367 of 2016.

2.The appellant/husband filed Original Petition for dissolution of marriage solemnized between him and the respondent on 24.01.2007. After trial, the learned VII Additional Principal Judge, Family Court, Chennai dismissed the Original Petition. Challenging the same, the present appeal has been filed.

3.When the matter is taken up for hearing, the learned counsel appearing for the appellant Mr.M.Vijayakumar and the learned counsel appearing for the respondent Ms.M.Sophia would state that the dispute between the parties has been amicably



settled. The appellant as well as the respondent are present along with their respective counsels and a Joint Compromise Memo dated 08.04.2022 signed by the parties as well as their counsels, is filed to that effect. The respondent says that she has no objection for granting divorce to the appellant. The Joint Compromise Memo dated 08.04.2022 is extracted hereunder :

"Joint Compromise Memo filed By the Appellant
and Respondent

The Appellant/Petitioner has filed IDOP No.367 of 2016 against the respondent before the VII Additional Family Court, Chennai to dissolve the marriage solemnized between the Appellant/Petitioner and the Respondent/Respondent which was dismissed on 31.01.2020 against which the appellant/petitioner preferred the present CMA. Now both the parties mutually agreed for a compromise and filing this joint compromise memo to resolve the issue involved under the following terms and conditions.

1.The Appellant/Petitioner/Suresh has agreed to pay Rs.25,50,000/- (Rupees Twenty five lakh and fifty thousand only) towards full and final settlement to the Respondent/Respondent/Shalini as permanent alimony to the respondent/S.Shalini by way of Demand Draft No.608770 dated 06.04.2022 drawn on Canara Bank Anna Nagar West Ext.Branch, Chennai. The respondent acknowledges the receipt of the same.

2.Both the parties are agreed that there shall be no future maintenance to be paid to the Respondent/S.Shalini.

3.Both the parties state that they have exchanged all the articles between them and agreed not to claim any articles or gold jewels in future against each other in any manner whatsoever.

4.Both the parties are agreed that they undertake not to interfere with the day to day affairs of each other and refrain themselves from the life of each other and they shall not interfere with the peaceful life of the others in any manner, in future.

5. Both the parties agreed that they will not indulge in any type of activities either directly or indirectly which will harm the other party in any manner.



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6.Both the parties state that no similar petition is pending or filed by them for the very same relief before this Hon'ble Court or any other Court.

7.Both the parties state that there is no collusion or undue influence between them to file this joint compromise memo.

8.The Respondent/Respondent/S.Shalini has withdrawn the M.C.No.247 of 2017 on the file of VII Addl.Family Court, Chennai on 08.04.2022.

Therefore it is prayed that this Hon'ble Court may record this joint compromise memo filed by the Appellant/Petitioner/R.Suresh and the Respondent/Respondent/S.Shalini and dissolve the marriage solemnized between them on 24.01.2007 at 17/8, Jaganathapuram 2nd street, Chetpet and Chennai-600 031 by allowing this appeal and thus render justice.'

4.In the light of the above, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Compromise Memo dated 08.04.2022. The marriage solemnized between the appellant and the respondent on 24.01.2007 is hereby dissolved by granting decree of divorce. The joint memo of compromise shall form part of the Decree. There shall be no order as to costs.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

The VII Additional Principal Judge,
Family Court, Chennai.

Copy to
The Section Officer,
VR Section, High Court, Madras.

+2cc to Mr.M.Vijayakumar, Advocate Sr.24423

C.M.A.No.1655 of 2020

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srg 13/05/2022