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C.M.A.Nos.3003 & 3004 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

C.M.A.Nos.3003 & 3004 of 2019

and

C.M.P.No.16191 of 2019

M.Logeshwaran

.. Appellant
(in both appeals)

Vs.

P.Ponni @ Hema

.. Respondent
(in both appeals)

Common Prayer: These Civil Miscellaneous Appeals are filed under Section 19(1) of the Family Courts Act, 1984, against the common order and decree dated 19.02.2019 made in O.P.Nos.1841 & 4487 of 2014 on the file of the V Additional Family Court, Chennai.

(In both appeals):

For Appellant : Mr.G.Thangavel

For Respondent : Mr.D.Nellaiappan



COMMON JUDGMENT

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

The respondent / wife filed O.P.No.1841 of 2014 on the file of the

Family Court, Chennai under Section 9 of the Hindu Marriage Act, 1955, for a direction to the appellant / husband to render conjugal rights to the respondent / wife.

2.The appellant / husband filed O.P.No.4487 of 2014 on the file of the Sub Court, Poonamallee under Section 13(1) (i-a) of the Hindu Marriage Act, 1955, to dissolve the marriage conducted between the appellant and respondent on 15.03.2013.

3.The respondent / wife filed counter in H.M.O.P.No.4487 of 2014 and denied all the averments made by the appellant / husband in the said H.M.O.P.No.4487 of 2014. The appellant / husband filed counter in H.M.O.P.No.1841 of 2014 and denied all the averments made by the respondent / wife in the said H.M.O.P.No.1841 of 2014.

4.By the common order dated 19.02.2019, O.P.No.1841 of 2014 filed by the respondent / wife for restitution of conjugal rights was allowed



C.M.A.Nos.3003 & 3004 of 2019

and H.M.O.P.No.4487 of 2014 filed by the appellant / husband for dissolution of the marriage conducted between the appellant and respondent on 15.03.2013 was dismissed.

5.Challenging the said common order dated 19.02.2019 dismissing H.M.O.P.No.4487 of 2014 and allowing H.M.O.P.No.1841 of 2014, the appellant / husband has come out with the present appeals.

6.When these matters are taken up for hearing today, the learned counsel appearing for the appellant as well as the respondent submitted that the matter has been settled between the appellant and respondent, they filed Joint Memo of Compromise dated 02.11.2022 duly signed by the appellant, respondent and their respective counsel and agreed for passing decree of divorce by mutual consent in terms of Joint Memo of Compromise.

7.The Joint Memo of Compromise dated 02.11.2022, duly signed by both the appellant as well as respondent and their respective counsel is taken on file and the same is recorded.



C.M.A.Nos.3003 & 3004 of 2019

8.Recording the Joint Memo of Compromise and the submissions of

the learned counsel appearing for the appellant as well as the respondent, both the Civil Miscellaneous Appeals are disposed of in terms of Joint Memo of Compromise dated 02.11.2022. The Joint Memo of Compromise dated 02.11.2022 shall form part of the decree. Consequently, the connected Miscellaneous Petition is closed. No costs.

(V.M.V., J) (S.M., J)
02.11.2022

krk

Index : Yes / No
Internet : Yes / No

To

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



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C.M.A.Nos.3003 & 3004 of 2019

V.M.VELUMANI, J.

and

SUNDER MOHAN, J.

krk

C.M.A.Nos.3003 & 3004 of 2019

02.11.2022