



C.R.P. No.3082 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2022

CORAM

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

C.R.P.No.3082 of 2017

Hemamalini,
W/o. Ejoumale

... Petitioner

Versus

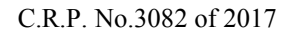
P.Ejoumale,
S/o. Pajamale

... Respondent

PRAYER : Civil Revision Petition filed under Sec.115 of Civil Procedure Code, praying to set aside the fair and decreetal order dated 05.04.2017 passed in E.P. No. 9 of 2014 in I.A.No.7 of 2011 in M.O.P. No. 274 of 2010 on the file of Family Court, Pondicherry.

For Petitioner : Mrs.R.Meenal

For Respondent : Mrs.P.V.Rajeswari



Challenging the impugned order passed in E.P. No. 9 of 2014, on the file of learned Family Court, Pondicherry, the Revision Petitioner wife preferred this Civil Revision Petition.

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3. Today, when the matter taken up for hearing, both the Revision Petitioner wife and respondent husband appeared through their respective counsels. As they were separated for 12 years and they had no issues, on the advise of family members, both of them agreed for arriving a compromise. Accordingly, as a permanent alimony, the respondent husband agreed to pay a sum of Rs.12 lakhs to the revision petitioner wife and the wife also agreed to withdraw all the proceedings initiated against the respondent husband. Furthermore, both of them agreed for divorce by mutual consent and both parties also agreed that they would not initiate any proceedings in the court of law in future. To that effect, a joint memo of compromise has been filed. Moreover, the Revision Petitioner wife also agreed that she shall not prosecute criminal proceedings in C.A. No.10 of 2018 on the file of Principal Sessions Judge, Pondicherry, which was also dismissed for non-prosecution. Therefore, as per the terms of compromise, they expressed that marriage between the revision petitioner and the respondent is irretrievably broken down and there is no chance for reunion and they were separated for more than 12 years and no issues. Further, the



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revision petitioner wife also agreed for dissolution of marriage with the respondent BY granting a decree of divorce.

4. In such circumstances, in terms of joint memo of compromise, permanent alimony of Rs.12,00,000/- (Rupees twelve lakhs only) received by revision petitioner wife in the open court through two Demand Drafts bearing Nos. 172745 and 172746 drawn on State Bank of India, Main Branch, Pondicherry, one is for a sum of Rs.11,50,000/- (Rupees eleven lakhs and fifty thousand only) and another is for a sum of Rs.50,000/- (Rupees fifty thousand only). She appeared before this court along with her counsel. The Revision Petitioner wife, who is a M.C.A. Graduate, she accepted that she signed in the joint memo of compromise and noted the contents of document. The respondent husband being a Civil Engineer also admitted that he signed in the joint memo of compromise and noted the contents. Accordingly, the joint memo of compromise is recorded. Permanent alimony of Rs.12,00,000/- paid by way of two demand drafts by the respondent husband to the revision petitioner wife is recorded. As per the terms of joint memo of compromise, marriage between the parties is



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dissolved and accordingly, divorce is granted in favour of respondent husband herein.

5. In the result, this Civil Revision Petition is disposed of as the matter was settled between the parties in terms of a joint memo of compromise. The joint memo of compromise shall form part and parcel of this order. No costs.

29.11.2022

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To

Judge,
Family Court,
Pondicherry.



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T.V.THAMILSELVI, J.

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