



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Twenty Fifth day of February Two Thousand Twenty Two

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PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN

AND

The Hon`ble Mr.Justice N.SATHISH KUMAR

CMA(MD). No.141 of 2021

Saravanan,

S/o.K.Krishnan No.3/338 Jawahar Street,

Indian Bank Colony

Narayanapuram Madurai

... Appellant / Petitioner

Vs

1 S.Pradeepa Yalini,

S/o.P.Selvaraj, No.24, Sri Meenakshi Nagar,,

Near P and T Nagar, Madurai..

2 Karthik Murugan, No.58/B, Visalatchi

Illam,, Ganapathy Servai Street, K. Pudur,

Madurai. Now Working at CISO,SEZ,Uni,,

Cessana Business Park, Kadubeesanahalli,

Village, Varthur, Hobli Sarjabur

Marathalli Outer Ring Road, Bangalore..

Respondent/Respondent

Prayer:-

Civil Miscellaneous Appeal filed under Section 19 (1) of the Family Court Act 1984, to set aside the order dated 23.11.2020 passed in H.M.O.P. No.135 of 2013 on the file of the Family Court, Madurai.

DECREE:-

This Civil Miscellaneous Appeal came up for hearing on this day, in the presence of Mr.T.Lajapathi Roy, Advocate for Appellant and Mr.K.K.Kannan, Advocate for the first respondent, appellant and respondent appeared in person herein having settled their disputes and entered into compromise between themselves and their advocates having filed a memo of compromise duly signed by the Appellant and respondent as well as their Advocates and upon perusing the grounds of appeal as well as the judgment and decree of the court below and the records relating to the case, memo of compromise dated 23.02.2022 the original of which are appended herewith, this court while recording the said memo of compromise, doth order and decree



(1) The 1st respondent be and hereby is agreed for divorce without admitting the allegations set out in the Appeal as well as in H.M.O.P No. 135 of 2013 on the file of the Family Court, Madurai.

(2) The Criminal case pending before JM Mahila Court, Madurai in C.C. No. 98 of 2017 (Thirupparankundram AWPS in Cr. No. 91 of 2014) against the appellant and A2 to A5 shall be withdrawn by the 1st respondent since compromise arrived between the parties.

(3) The case pending before the Family Court, Madurai in Cr.M.P No. 210 of 2021 in M.C. No. 73 of 2013 against the appellant shall be withdrawn by the 1st respondent since one time settlement is made between the parties.

(4) That both the appellant and the 1st respondent be and hereby are amicably and mutually settled their issues and agreed to annul the above cases under the terms mentioned below.

i. The appellant / husband offered one time settlement for permanent alimony of Rs. 22,00,000/- to the 1st respondent S. Pradeepa Yalini and the respondent consented the same. The appellant paid the above amount by way of Demand Draft and cash as follows,

S.No	Date	Bank Details	Amount
1.	16.02.2022	Demand Draft No. 720930 Tamil Nadu (Pandiyan) Grama Bank,	Rs. 5,00,000
2.	16.02.2022	Demand Draft No. 720931 Tamil Nadu (Pandiyan) Grama Bank,	Rs. 5,00,000
3.	18.02.2022	Demand Draft No. 023634, Axis Bank.	Rs. 10,00,000
4.	23.02.2022	By Cash	Rs. 2,00,000

ii. Since the amount of Rs. 22,00,000/- (Rupees Twenty two lakhs only) received by the 1st respondent /wife, she shall not claim any alimony or maintenance in future either for herself or for the appellant's son Akshanth and she is entitled for the same.

iii. The 1st respondent / wife shall agree for quashing the charge sheet in C.C. No. 98 of 2017 (Thirupparankundram AWPS in Cr. No. 91 of 2014) in CrI.O.P (MD) No. 20116 of 2018 without any objections.

iv. Further the A2 to A5 in C.C. No. 98 of 2017 (Thirupparankundram AWPS in Cr. No. 91 of 2014) had filed quash petition in CrI.O.P (MD) No. 2884 of 2018 (Tamilarasi and others) and the same was disposed on 18.09.2019 by dispensing appearance of the A2 to A5 before the JM Mahila Court, Madurai. However the respondent agreed to quash the C.C. No. 98 of 2017 against the A2 to A5 also in CrI.O.P No. 20116



of 2018.

v. The appellant shall not make any claim for the custody of his minor son under any circumstances arise before the court of law.

vi. The parties shall not file any compensation petition before any court for the allegations whatever made in the previous litigations between them. There are no dues between the parties in the form of Gold Jewellery, Utensils, Household articles or anything else.

5. That in view of the Settlement arrived as above, the judgment and decree in H.M.O.P. No.135 of 2013 dated 23.11.2020 on the file of the Family Court, Madurai be and hereby is allowed.

6. That the marriage between the parties herein held on 08.11.2010 shall stand dissolved.

7. That this Civil Miscellaneous Appeal be and hereby is allowed.

8. That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1) The Judge, Family Court, Madurai.

Copy to:

The Section Officer,
V.R. Section,

Madurai Bench of Madras High Court, Madurai - 2 Copies

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-9052 dated 28/02/2022)

+1 CC to M/s.K.K.KANNAN, Advocate (SR-9051 dated 28/02/2022)



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CMA(MD). No.141 of 2021

ORDER DATED : 25/02/2022
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DECREE

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CMA (MD) . No.141 of 2021

Nature of Decree:- Allowing
the Civil Miscellaneous
Appeal preferred against the
judgment and decree of the
Family Court Madurai in
HMOP No.135 of 2013
dated 23.11.2020

KMK (CO)
TR(11.03.2022) 4P 6C