



C.M.S.A(MD)No.23 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 19.12.2022

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

C.M.S.A(MD)No.23 of 2021

S.Karthik

... Appellant / Petitioner

Vs.

P.Hema

... Respondent / Respondent

PRAYER : This Civil Miscellaneous Second Appeal is filed under Section 28 of Hindu Marriage Act, 1955 read with Section 100 of Code of Civil Procedure, to set aside the judgment and decree, dated 30.11.2020, passed in H.M.C.M.A.No.8 of 2018 on the file of the Additional District and Sessions Court, Sivagangai, confirming the judgment and decree, dated 20.04.2018, passed in H.M.O.P.No.111 of 2017 on the file of the Sub Court, Devakottai.

For Appellant : M/s.G.Prabhu Rajadurai

For Respondent : M/s.P.Aju Tagore



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JUDGMENT

When the matter was taken up for hearing on 14.12.2022, the learned Counsels sought time for reporting settlement. Today, when the matter is taken up for hearing, the learned Counsels on either side have filed a joint Compromise Memo and they have stated that the parties have mutually agreed for divorce and a decree for dissolution of marriage may be passed on mutual consent. The respondent has agreed to withdraw the criminal case pending against the appellant and his family members, before the learned Judicial Magistrate, Karaikudi in C.C.No.19 of 2015, renumbered as C.C.No.233 of 2022.

2. Both the parties are present and they have admitted their signature in the joint Memo of Compromise. When this Court questioned about the custody of the child, they have submitted that they will prosecute the same in separate proceedings. In terms of the Memo of Compromise a decree for divorce is granted on mutual consent. The joint Memo of Compromise is recorded and it shall form part and parcel of this decree.



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3. In terms of the above compromise, this Civil Miscellaneous Second

Appeal stands closed. There shall be no order as to costs.

19.12.2022

Index : Yes / No
Internet : Yes / No
btr

To

- 1.The Sub Court,
Devakottai.
- 2.The Additional District and Sessions Court,
Sivagangai.
- 3.The Record Keeper,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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N.MALA, J.

btr

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