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C.M.A.Nos.1547 and 1549 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

C.M.A.Nos.1547 and 1549 of 2022

M.Senthil Kumar

...appellant in both the appeals

Vs.

S.Inbavalli

...respondent in both the appeals

Prayer in CMA.No.1547 of 2022: Civil Miscellaneous Appeal filed under Section 28 of Hindu Marriage Act,1955 r/w. Section 19 (1) of the Family Courts Act 1984 to set aside the judgment and decree passed by the learned Principal Judge, Family Court, Chennai in OP.No.2555 of 2017 dated 27.10.2021.

Prayer in CMA.No.1549 of 2022: Civil Miscellaneous Appeal filed under Section 28 of Hindu Marriage Act,1955 r/w. Section 19 (1) of the Family Courts Act 1984 to set aside the judgment and decree passed by the learned Principal Judge, Family Court, Chennai in OP.No.1097 of 2019 dated 27.10.2021.



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For Appellant : Mr.K.P.Sathish Kumar
(in both the appeals)

For Respondent : Ms.M.Backiyalakshmi
(in both the appeals)

COMMON JUDGMENT

[Judgment of the Court was delivered by R.SUBRAMANIAN, J]

These 2 appeals in CMA.Nos.1547 and 1549 of 2022 have been filed against the orders of the Principal Family Court, Chennai made in OP.Nos.2555 of 2017 and 1097 of 2019.

2. O.P.No.2555 of 2017 is a petition filed by the husband seeking divorce on the ground of cruelty. O.P.No.1097 of 2019 is a petition filed by the wife seeking restitution of conjugal rights. The Family Court, has dismissed the O.P. filed by the husband while allowing the O.P. filed by the wife. The parties have now entered a compromise and a Joint Compromise Memo, dated 21.07.2023 has been filed before this Court. As per the same, they have agreed to part ways and they prayed for dissolution of the marriage.



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WEB COPY 3. It is seen that the parties have been living apart for over a decade now and they have agreed upon for divorce. Hence the joint compromise memo is recorded. Both the CMAs will stand allowed. There will be a decree for dissolution of marriage in O.P.Nos.2555 of 2017 and O.P.1097 of 2019 will stand dismissed. No costs.

(R.S.M.J.) (R.K.M.J.)
05.09.2023

Index : Yes/No
Speaking order: Yes/No
pvs

To
1. The Principal Judge,
Family Court, Chennai
2. The Section Officer,
VR Section High Court, Madras.



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R.SUBRAMANIAN, J.
and
R.KALAIMATHI, J.

pvs

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