



WEB COPY



CMA.No.783 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

and

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

Civil Miscellaneous Appeal No.783 of 2018
and CMP No.6616 of 2018

M. Nirmala Devi

... Appellant

Vs

Dr.K.Parthiban

... Respondent

Prayer: This Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, to set aside the order and decree dated 14.03.2017 made in I.a.No.2655 of 2012 in O.P.No.2984 of 2012 by the learned II Additional Family Court, Chennai and allow the Civil Miscellaneous Appeal by directing the respondent to pay Rs.40,000/- as monthly maintenance for the appellant and the minor son Arjun from the date of filing of the I.A.



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For Appellant : M/s.A.Arulmozhi
For Respondent : Mr.R.Sureshkumar
for M/s.K.M.Vijyan Associates

J U D G M E N T

The Appeal is filed by the wife against an order granting interim maintenance at Rs.13,000/- for herself and the minor child.

2. Pending Appeal, the parties have settled the dispute among themselves and the Memorandum of Understanding dated 23.08.2023 has also been filed. As per the said Memorandum of Understanding, the husband has paid a sum of Rs.10,00,000/- (Rs. Ten lakhs only) by way of a Demand Draft and he has also agreed to pay a further sum of Rs.60,00,000/- (Rs. Sixty Lakhs only) within two months from the date of execution of the Memorandum of Understanding i.e. today. This seventy lakhs is paid as permanent alimony in full quit of the maintenance claimed for the wife and child. There are other terms also in the Memorandum of Understanding relating to the cases pending and also agreeing to seek divorce by mutual consent before the Family Court, Chennai. The parties are also present and



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they affirmed the Memorandum of Understanding. Clause 10 of the Memorandum of Understanding also states that the husband/father of the child is willing to contribute and share the cost of any future medical care that may be required for the boy considering the fact that he is an autistic child.

3. In view of the above, the Civil Miscellaneous Appeal is disposed of in terms of the Memorandum of Understanding. The Memorandum of Understanding shall form part of the decree. The parties will bear their own costs. Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (R.KALAIMATHI, J.)
23.08.2023

jv

Index: No
Internet: Yes
Non speaking order
Neutral Citation: No



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To

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



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

jv

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