



WEB COPY



CRP No.3655 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.11.2023

CORAM :

THE HON'BLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.3655 of 2023

and

CMP.No.22935 of 2023

H.Manzoor Basha

... Petitioner

Versus

M.Reshma Parveen

... Respondent

Civil Revision Petition filed Under Article 227 of Constitution of India, praying to strike off the complaint in DVC No.48 of 2023 dated 05.04.2019 on the file of the District Munsiff cum Judicial Magistrate Court, Pallavaram (Previously DVC.No.17/19 on the file of the Judicial Magistrate Tambaram).

For Petitioner : Mr.N.A.Nassir Hussain

ORDER

The petitioner has filed this petition to strike off the complaint in DVC No.48 of 2023 dated 05.04.2019 on the file of the District Munsiff cum Judicial Magistrate Court, Pallavaram.

2. Heard Mr. N.A.Nassir Hussain, learned counsel for the petitioner,

<https://www.mhc.tn.gov.in/judis>



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Mr.S.Santhanam, learned counsel for the respondent and perused the materials available on record.

3. The marriage between the petitioner and the respondent was solemnized as per Islamic Shariat on 22.07.2007 at Chennai. Out of the wedlock they have three children. The marriage was dissolved by way of Talaq and the petitioner and respondent ceased to be husband and wife from 6th December 2022. The respondent herein has filed Domestic Violence case against the petitioner in DVC.No.17 of 2019 on the file of the II Judicial Magistrate, Tambaram, which has now been transferred to the file of the District Munsif cum Judicial Magistrate, Pallavaram and renumbered as DVC.No.48 of 2023 and the same is pending disposal before the said Court. The respondent along with her three children for herself and as the natural guardian of the minor children filed CMP.No.4397 of 2019 for interim residence order and CMP.No.4396 of 2019 for maintenance in DVC.No.17 of 2019 (now renumbered as DVC.No.48/2023). Against the orders passed in the above CMPs, the petitioner has filed Crl.A.No.50 of 2022 against CMP.No.4397 of 2019 and the respondent has filed CRL.A.No.36 of 2021 against CMP No.4396 of 2019 before the learned Additional District Judge, Chengalpattu and the learned Principal District Judge, Chengalpattu



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respectively and both the Criminal Appeals are pending disposal. The marriage between the petitioner and the respondent stands dissolved since the petitioner has pronounced 3 Talaq in three consecutive months on 03.10.2022, 03.11.2022 and finally on 06.12.2022 as per Mohammedan Law. The revision petitioner has preferred the present revision petition in CRP.No.3655 of 2023 to strike off the proceedings in the above DVC No.48 of 2023 pending on the file of the District Munsiff cum Judicial Magistrate at Pallavaram. During the pendency of CRP the parties have decided to enter into the compromise.

4. Today, the matter is listed under the caption for Reporting Compliance. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that as per the terms of Joint Memorandum of compromise, the claim between the parties are settled and the settlement deed was executed by the petitioner in favour of the children and the original document also handed over to the respondent.

5. Since the matter is settled out of Court, the Civil Revision petition is dismissed as settled out of Court. The Memorandum of Compromise filed by

T.V.THAMILSELVI, J.



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the petitioner and the respondent dated 18.10.2023 shall form part of the Order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

03.11.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation:Yes/No

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To

- 1.The District Munsiff cum Judicial Magistrate Court,
Pallavaram.
- 2.The Section Officer,
VR-Section, High Court of Madras.

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