



**C.M.S.A(MD)No.62 of 2021**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED :11.01.2023**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE N.MALA**

**C.M.S.A(MD)No.62 of 2021**

C.Vetrivel Murugan

... Appellant/Appellant/Respondent

-VS-

V.Kalavathi

... Respondent/Respondent/Petitioner

**PRAYER** : Appeal filed under Section 28 of Hindu Marriage Act r/w 100 of CPC, to set aside the judgment and decree dated 19.09.2019 made in H.M.C.M.A.No.18 of 2019 on the file of the Additional District Court (Fast Track Court), Theni, by upholding the fair and decreetal order dated 10.08.2018 made in H.M.O.P.No.188 of 2014 on the file of the Sub Judge, Theni, and allow the CMSA.

For Appellant : Mr.M.PAndian

For Respondent : Mr.M.Prabhu



**C.M.S.A(MD)No.62 of 2021**

WEB COPY

**JUDGMENT**

This petition is filed against the judgment and decree dated 19.09.2019 made in H.M.C.M.A.No.18 of 2019 on the file of the Additional District Court (Fast Track Court), Theni, by upholding the fair and decreetal order dated 10.08.2018 made in H.M.O.P.No.188 of 2014 on the file of the Sub Judge, Theni, and allow the CMSA.

2.The learned counsel on either side submit that the matter has been compromised between the parties and compromise memo has been filed to that effect. Hence, they prayed to dispose the appeal in the terms of the compromise memo.

3. The parties have agreed for divorce on mutual consent. Based on the mutual consent for divorce, the appellant has agreed to return the sridhana properties to the respondent and further, the appellant has paid a sum of Rs.5 lakhs to the respondent as one time settlement. The parties agree that the appellant would not be liable for the monthly maintenance of Rs.9,000/- in future in view of the one time deposit of Rs.5 lakhs.



**C.M.S.A(MD)No.62 of 2021**

WEB COPY

4.The parties are present before this Court. On enquiry, the respondent/wife acknowledged that she received a sum of Rs.5 lakhs from the appellant/husband.

5.In view of compromise memo, the Civil Miscellaneous Second Appeal is disposed of and the terms of compromise memo dated 10.01.2023, shall form part of this order. No costs.

**11.01.2023**

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

dss

To

1.The Additional District Court (Fast Track Court),  
Theni,

2. The Sub Judge,  
Theni.

3.The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court, Madurai.

3/4



WEB COPY



**C.M.S.A(MD)No.62 of 2021**

**N.MALA, J.**

dss

**JUDGMENT MADE IN**  
**C.M.S.A(MD)No.62 of 2021**

**11.01.2023**