



C.M.A(MD)No.289 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN
and
THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.M.A(MD)No.289 of 2021
and
C.M.P.(MD)No.7954 of 2022

Seethabharathi

... Appellant/Petitioner

-VS-

Sankara Ganapathy

... Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal has been filed under Section 19 of the Family Courts Act, 1984 against the Judgment and Decree, dated 30.08.2018 made in H.M.O.P.No.110 of 2017 on the file of the Family Court, Tirunelveli.

For Appellant : Mr.P.Prabhakaran

For Respondent : Mr.G.Prabhu Rajadurai



C.M.A(MD)No.289 of 2021

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JUDGMENT

[Order of the Court was made by RMT.TEEKAA RAMAN, J.]

The appeal is directed against the Judgment and Decree, dated 30.08.2018 made in H.M.O.P.No.110 of 2017 on the file of the Family Court, Tirunelveli.

2. Today, when the matter is taken up for hearing, the learned counsel for both the appellant and the respondent is present.

3. The matter was initially referred to the mediation centre and on 09.11.2023, the mediator was able to bring out the compromise between the parties and submitted a report that the mediation has completed and that an agreement of terms had been submitted along with a settlement agreement.

4. Mrs.Seethabharathi, the wife, is appeared through video conferencing, identified by the learned counsel for the appellant.

5. The learned counsel for the respondent is present and would state that the party has also signed in the settlement agreement. Though H.M.O.P has been



C.M.A(MD)No.289 of 2021

filed by the wife on the point of cruelty by the husband, the trial Court has dismissed the HMOP and hence, she filed the above appeal.

6. Now both the parties have withdrawn the allegations and the counter allegations made before the trial Court and abide by the terms of the agreement entered into between the parties before the mediation.

7. As per the agreement signed by the mediation is taken on record, the Civil Miscellaneous Appeal is allowed and the order dated 30.08.2018 in H.M.O.P.No.110 of 2017 passed by the learned Family Court, Tirunelveli, is set aside The marriage between the parties was solemnized on 19.06.2011 stands dissolved on mutual consent. No costs. Consequently, connected miscellaneous petition is closed. The settlement agreement shall form part and parcel of this Judgment.

[T.K.R., J.] [P.B.B., J.]

30.11.2023

NCC : Yes / No
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C.M.A(MD)No.289 of 2021

RMT.TEEKAA RAMAN, J.
and
P.B.BALAJI, J.

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To

- 1.The Family Court, Tirunelveli.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

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