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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2023**

CORAM

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

C.M.A.(MD)Nos.556 and 608 of 2023

C.M.A.(MD)No.556 of 2023:-

I.Prakash

...Appellant

-Vs.-

M.Arulmalar

...Respondent

PRAYER:- Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act, 1984, to set aside the decree and order dated 10th April 2023 passed in H.M.O.P.No.307 of 2020 by then Hon'ble Family Court Madurai and to pass order allowing this appeal duly dissolving the marriage solemnized on 24.08.2018 at Hotel Breeze Residency, Trichy-1.

For Appellant : Ms.T.Banumathy
For Respondent : Ms.A.S.Shangeetha



C.M.A.(MD)No.608 of 2023:-

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I.Prakash

...Appellant

-Vs.-

M.Arulmalar

...Respondent

PRAYER:- Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act, 1984, to set aside the decree and order dated 10th April 2023 passed in H.M.O.P.No.1313 of 2019 by then Hon'ble Family Court Madurai and to pass order allowing this appeal duly dissolving the marriage solemnized on 24.08.2018 at Hotel Breeze Residency, Trichy-1.

For Appellant : Ms.T.Banumathy
For Respondent : Ms.A.S.Shangeetha

COMMON JUDGMENT

(Judgment of the Court was delivered by **DR.ANITA SUMANTH, J.**)

This matter was referred to mediation on 07.07.2023 and 10.07.2023 (two Civil Miscellaneous Appeals).

2.Today, the parties, Mr.I.Prakash (appellant/husband) and Mrs.M.Arulmalar (respondent/wife) are present before this Court.



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3.The matter has been settled before the Mediator and a copy of settlement agreement executed before the Mediator on 02.08.2023 is placed on record containing the statement that the parties have agreed for dissolution of the marriage solemnized on 24.08.2018 at Hotel Breeze Residency, Trichy-1.

4.The appellant has agreed to remit a sum of Rs.5,00,000/- towards lifetime maintenance and a demand draft in D.D.No.02115 (HDFC Bank) drawn in favour of the respondent was handed over and accepted by the respondent, as recorded by the Mediator.

5.Thereafter, the parties have entered into a joint memo of compromise dated 02.08.2023 setting out the terms. Joint memo of compromise dated 02.08.2023 duly executed by the parties on the premise that the respondent does not admit the allegations made in the proceedings, will form part of record.

6.In H.M.O.P.No.307 of 2020, the prayer for divorce had been rejected by the Family Court, Trichy. In H.M.O.P.No.1313 of 2019 the prayer for restitution of conjugal rights had been accepted.



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7. In light of the joint memo of compromise dated 02.08.2023, the prayer for divorce stands decreed and the decree of restitution of conjugal rights is set aside. The Civil Miscellaneous Appeals are closed in light of the joint memo of compromise dated 02.08.2023. No costs.

[A.S.M.J.] & [R.V.J.]
09.08.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No

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To

The Judge, Family Court Madurai.



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DR.ANITA SUMANTH, J.
AND
R.VIJAYAKUMAR, J.

cmr

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