



Rev.Apl.C(MD)No.33 of 2023
in
C.M.S.A.(MD)No.18 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev.Apl.C(MD)No.33 of 2023
in
C.M.S.A.(MD)No.18 of 2017

L.Rameshkumar

... Petitioner

Vs.

Kavitha

... Respondent

PRAYER: Petition filed under Order 47 Rule 1 r/w Section 114 of C.P.C., praying to review the order C.M.S.A.(MD)No.18 of 2017, on 01.11.2018 and allow CMSA.

For Petitioner : Mr.M.Karthikeyavenkitachalapathy

For Respondents : Mr.P.Mahendran

ORDER

The petitioner herein filed C.M.S.A.No.18 of 2017. But the same was dismissed by me on 01.11.2018. This application has been filed seeking review of the said order.



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2. During pendency of the review petition, the parties have entered into settlement. The parties are present and they have been duly identified by their respective counsel. The joint compromise memo signed by both of them has been filed before this Court and it is taken on record. In view of the understanding arrived at between the parties, this review application is disposed of in the following terms:-

(I) The appellant herein withdraws the allegation made against the respondent. The marriage that was solemnized between the petitioner and the respondent herein on 18.02.2010 at Sri Ram Lakshmi Mahal, Virudhunagar stands dissolved. The petitioner as the biological father of the child R.Vinesh Kumaran shall extend his moral assistance and cooperation to facilitate the career of the child.

(II) The petitioner had suffered conviction in C.C.No.65 of 2013 on the file of the Judicial Magistrate No.II, Virudhunagar.. The petitioner has filed C.A.No.5 of 2019 on the file of the District Court, Srivilliputhur. The respondent has no objection for the appellate court to allow C.A.No.5 of 2019. The learned Judge, Srivilliputhur can act on the strength of this order without insisting



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on the physical presence of the respondent herein.

(III) The respondent undertakes to withdraw C.C.No.96 of 2017 on the file of the Judicial Magistrate No.II, Virudhunagar. Since the parties have resolved their outstanding differences, it would be an abuse of process to continue the prosecution in C.C.No.96 of 2017 on the file of the Judicial Magistrate No.II, Virudhunagar. The said proceedings stand quashed. The joint compromise memo shall form part of this order.

3. The Review Application is allowed on these terms.

09.06.2023

Index : Yes/No
Internet : Yes/No
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NOTE:Registry is directed to communicate the copy of the order to the Judicial Magistrate No.II, Virudhunagar.

Issue Order Copy on 20.06.2023



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G.R.SWAMINATHAN, J.

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