



C.M.A. (MD)No.955 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.08.2023

CORAM:

THE HON'BLE MR.JUSTICE **K.MURALI SHANKAR**

C.M.A.(MD)No.955 of 2022
and
C.M.P.(MD)No.9431 of 2022

Sylvester

... Appellant/
Respondent/
Petitioner

Vs.

Arul Vijitha

... Respondent/
Petitioner/
Respondent

Prayer : This Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act, 1969, to set aside fair and decretal order dated 15.09.2022 passed by the I Additional District Judge, Tirunelveli, in I.A.No.1 of 2022 in D.O.P.No.196 of 2021.

For Appellant : Mr.T.Lenin Kumar

For Respondent : Mr.G.Aravindan



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JUDGMENT

The Civil Miscellaneous Appeal is directed against the fair and decretal order dated 15.09.2022 passed by the I Additional District Judge, Tirunelveli, in I.A.No.1 of 2022 in D.O.P.No.196 of 2021.

2. When the matter was taken up for hearing on 21.04.2023, considering the submissions made on either side, this Court directed both the parties to appear before the Mediation and Conciliation Centre attached to this Bench on 24.05.2023. In pursuance of the same, both the parties had appeared before the Mediation Centre from 24.05.2023 to 02.06.2023.

3. It is evident from the records that mediation report dated 05.06.2023 has been received along with settlement agreement entered into between the parties and whereunder, it has been stated that the matter was settled. The following settlement has been arrived at between the parties:

“The petitioner agrees for providing visitation rights to respondent on every second Sunday from 10.00 a.m. to 05.00 p.m. at the common place in Tirunelveli District.”



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4. When the matter is taken up for hearing today, the appellant, the respondent and their minor child are present before this Court. The appellant and the respondent have filed a Joint Compromise Memo dated 12.07.2023 before this Court, duly signed by all the parties along with their respective counsel on record. On enquiry, before this Court, both parties have accepted the compromise entered into between them and filing of Joint Compromise Memo dated 12.07.2023. Hence, the Joint Compromise Memo dated 12.07.2023 is recorded.

5. The learned counsel on either side represented that the Civil Miscellaneous Appeal may be disposed of in terms of the Joint Compromise Memo entered into between the parties.

6. Accordingly, this Civil Miscellaneous Appeal is disposed of in terms of the Joint Compromise Memo dated 12.07.2023 and the Joint Compromise Memo dated 12.07.2023 along with the settlement agreement dated 02.06.2023 shall form part and parcel of this judgment. No costs. Consequently, connected miscellaneous petition is closed.

11.08.2023

NCC :yes/No
Index :yes/No
Internet:yes/No
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K.MURALI SHANKAR,J.

csn

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