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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURA

(Civil Appellate Jurisdiction)

Friday, the Twentieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
AND
The Hon`ble Mr.Justice SUNDER MOHAN

CMA(MD). Nos.739 and 740 of 2018

GOWRIMALA,
D/O.CHANDRAN,
D.NO.5/54A, SOUTH STREET,
RAJAGAMBEERAM, MANAMADURAI TALUK,
SIVAGANGAI DISTRICT.

... Appellant in both CMAs/Petitioner in H.M.O.P. No.95 of 2017 and Respondent in H.M.O.P No.98 of 2017

Vs

KARUPPASAMY,
S/O.MUTHU,
THOLLUR, THERKUPATTI VILLAGE,
PARAMAKUDI TALUK, RAMNAD DISTRICT.
NOW RESIDING AT,
WEST BENGAL STREET, SOLBONI.,
207, COBRO, BATTALION.

... Respondent in both CMAs /Respondent in H.M.O.P. No.95 of 2017 and/ Petitioner in H.M.O.P No.98 of 2017

Common Prayer:-

Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act, against the Judgment and decree dated 09.07.2018 made in H.M.O.P. Nos. 95 and 98 of 2017 respectively on the file of Family Court, Sivagangai.

DECREE:-

These Civil Miscellaneous Appeals having come up for final hearing on this date in the presence of MR. G.PRABHU RAJADURAI, Advocate for the Appellant in both appeals and of MR. AL.VIJAY DEVARAJ, Advocate for the respondent in both appeals, the parties having entered into compromise between themselves and having filed into court a memo of compromise requesting the Court to pass a decree in the appeals interims thereof and the memo of compromise dated 20.01.2023 duly signed by the both parties and respective

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counsels, upon perusing the grounds of Appeal, the order of the Family Court and the material papers to the Appeal and the memo of compromise filed herein, this Court while disposing the appeals doth record the said memo of compromise the original of which is annexed herewith, doth interims thereof doth order and decree as follows:-

(1) That the marriage solemnized between the Appellant herein/Wife and the Respondent herein/Husband on 29.06.2012 at Rajagambeeram be and hereby is dissolved on mutual consent;

(2) the respondents herein/Husband in CMA(MD).NO. 740 of 2018 do agree to withdraw the H.M.O.P. No. 98 of 2017 for restitution of conjugal rights filed by him;

(3)That the decree dated 09.07/2018 in H.M.O.P. No. 98 of 2017 for restitution of conjugal rights be and hereby is dismissed and the petition filed by the Appellant herein/Wife in H.M.O.P. No. 95 of 2017 before the Family Court, Sivagangai, for divorce is allowed;

(4)In pursuance of the Joint Compromise memo dated 20.01.2023, the Appellant herein/Wife do agree to return the chain with Thali (Mangalsutra)(42 grams) given by the respondent herein/Husband;

(5)In pursuance of the Joint Compromise memo dated 20.01.2023, the Appellant herein/Wife do further agree to pay to the sum of Rs. 2,50,000/-(Two Lakhs Fifty Thousand only) to the respondent;

(6)In pursuance of the Joint Compromise memo dated 20.01.2023, the Appellant herein/Wife and respondent herein/Husband do agree to withdraw their mutual allegations.

(7)In pursuance of the Joint Compromise memo dated 20.01.2023, the respondent herein/Husband do agree to return the whatever available Sridhana articles bought by the Appellant herein/Wife;

(8) That there be no costs in this Civil Miscellaneous Appeal.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

PJL

Encl:Xerox copy of Joint Compromise memo dated 20.01.2023

To

The Judge,
Family Court,
Sivagangai.

Copy to:

The Section Officer,
V.R. Section,
Madurai Bench of Madras High Court, Madurai - 2 Copies

+2 CC to M/s.G.PRABHU RAJADURAI, Advocate (SR-3329 dated 23/01/2023)

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ORDER DATED : 20/01/2023

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Common DECREE

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CMA(MD). Nos.739 & 740 of 2018

Nature of Decree:- Disposed of the Civil Miscellaneous Appeal preferred against the Judgment and decree dated 09.07.2018 made in H.M.O.P. NO. 95 & 98 of 2017 on the file of Family Court, Sivagangai respectively and etc., as stated within

SI(22.02.2023) 3P/ 6C

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