



C.M.A.(MD)No.21 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2023

CORAM:

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

C.M.A.(MD)No.21 of 2023
and
C.M.P.(MD)No.217 of 2023

G.Komathi

...Appellant

/Vs./

K.Vasanthakumar

...Respondent

PRAYER:- Appeal - filed under Section 19 of the Family Court Act, 1984, to set aside the fair and decretal order dated 12.10.2022 passed in H.M.O.P.No.198 of 2017 on the file of the Family Court, Tiruchirapalli and to allow this Civil Miscellaneous Appeal.

For Appellant : Mr.R.Karunanidhi

For Respondent : Mr.K.R.Kishore Ram



C.M.A.(MD)No.21 of 2023

JUDGMENT

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

Read this order in conjunction with and in continuation of order dated 08.08.2023, which is extracted below:-

“The learned counsel for the appellant conveys instructions of the appellant to the effect that she is willing to receive a sum of Rs.11,00,000/- (Rupees Eleven Lakhs only) in settlement from the respondent and will withdraw this Civil Miscellaneous Appeal. A memo is filed to this effect enclosing with an e-mail from the appellant.

*2. List on **11.08.2023** under the same caption. The parties shall be present in Court on 11.08.2023.”*

2. The matter is called today and a joint compromise memo that has been duly executed by both parties is placed before us. The parties, namely, Ms.G.Komathi / appellant and Mr.K.Vasanthakumar / respondent are also present in Court. The memo reads thus:-

“JOINT COMPROMISE MEMO FILED BY THE PARTIES

01. The marriage between the parties was held on 06.06.2016 and due to the difference of mind between the parties, the respondent had filed H.M.O.P No.198 of 2017 and the same was allowed on 12.10.2022 and aggrieved over the same, the



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C.M.A.(MD)No.21 of 2023

present Civil Miscellaneous Appeal was filed.

02. The Appellant herein has also filed a maintenance case in M.C.No.07/2018 and the same was also allowed on 12.10.2022 in favor of the appellant and the Hon'ble Court had directed the respondent to pay a sum of Rs.15,000/- per month

03. Under these circumstance, the parties for the betterment of their respective future had decided not to prolong the litigations but to compromise on common grounds and and to end the litigation between themselves. Hence, the parties agrees to compromise on the following conditions:-

a. The appellant agrees to receive a sum of Rs.11,00,000/- as one time and permanent alimony by means of the Demand Draft No.782838 dated 03.07.2023 drawn in the name of the appellant at State Bank of India, Tiruchirapalli.

b. The appellant agrees to forfeit her right to maintenance as per the order in M.C.No.7 of 2018 on receipt of the total amount of Rs 11,00,000/- and the same was received by the appellant on 11.08.2023.

c. The parties agree that they will not claim any property, interest, maintenance, employment benefits or any right by succession against each other.

d. The parties agree that they will not initiate any new litigations against each other in respect of the ended marriage and not to interfere with others lives by any way.

Both the parties hereby agrees to abide by the terms of this comprise memo and the same may be recorded."

and forms part of the records.



C.M.A.(MD)No.21 of 2023

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3. Recording this memo, this Civil Miscellaneous Appeal is dismissed as withdrawn. The decree of divorce that was passed on 12.10.2022 in HMOP No.198 of 2017 by the Family Court, Tiruchirapalli, stands confirmed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

**[A.S.M.J.] & [R.V.J.,]
16.08.2023**

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



C.M.A.(MD)No.21 of 2023

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TO:

- 1.The Family Court, Tiruchirapalli.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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C.M.A.(MD)No.21 of 2023

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

sm

Judgment made in
C.M.A.(MD)No.21 of 2023

Dated:
16.08.2023