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C.M.A.No.2168 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2024

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU
and
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL

C.M.A.No.2168 of 2012
and M.P.No.1 of 2012

J. Muralidharan

... Appellant

Vs.

Rajeswari

... Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 19 of Family Courts Act, 1984, against the order passed in O.P.No.1056 of 2009 dated 14.02.2012 on the file of the II Additional Principal Judge, Family Court, Chennai.

For Appellant : Mr.S.Balasubramaniam

For Respondent : Mr.T.S.Kanmani

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JUDGMENT

(Judgment of the Court was delivered by J. Nisha Banu, J)

The present Civil Miscellaneous Appeal has been filed against the judgment and decree dated 14.02.2012 allowing O.P.No.1056 of 2009 filed by the respondent/wife for divorce on the file of the II Additional Principal Judge, Family Court, Chennai.

2. By consent of both the parties, this Court, by order dated 25.04.2024, had referred the matter to the Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, for amicable settlement,

3. Pursuant to the negotiations, the parties have arrived at mutual agreeable settlement and a report was sent by the Tamil Nadu Mediation and Conciliation Centre in Mediation Case No.358/2024 dated 31.07.2024, attaching a Settlement Agreement, dated 30.07.2024. The following settlements have been arrived at between the parties:-

"(a) That both the appellant Mr.J.Muralidharan and the respondent Mrs.Rajeswari, shall not proceed with the above appeal in C.M.A.No.2168 of 2012 against



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O.P.No.1056 of 2009 for permanent alimony, pending before the Hon'ble High Court at Madras.

(b) That the appellant Mr.J.Muralidharan, hereby voluntarily accepted to pay a sum of Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousand only) to the respondent Mrs.Rajeswari by way of two installments i.e. Ist installment is Rs.2,00,000/- (Rupees Two Lakhs Only) to be paid today on 30.07.2024 and IInd installment is Rs.2,50,000/- (Rupees Two Lakhs and Fifty Thousand only) to be paid on or before 30.08.2024.

(c) That if any case or complaint pending before any authority, after the decree of this case, the same stands automatically dismissed or withdrawn by the respondent against the appellant and vice versa.

(d) That the respondent shall not claim any maintenance or permanent alimony from the appellant in future. Similarly, the appellant shall not claim any maintenance or permanent alimony from the respondent in future in no headings."

4. Today when the matter is taken up for hearing, both the learned counsel have appeared before this Court and affirmed that they have settled their dispute before the Mediation Centre and the appellant/



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husband has paid the entire amount towards full and final settlement to the respondent/wife. To that effect, they have also filed a Memo dated 02.09.2024, which reads as follows:-

MEMO

"In the above mentioned C.M.A.No.2168, an agreement of settlement was entered between the appellant/husband and the respondent/wife before the Mediation Centre, in which the full and final settlement towards the alimony was agreed for Rs.4,50,000/-. Out of the said amount, the appellant/husband paid Rs.2,00,000/- (cash) on 30.07.2024 to the respondent/wife, now the balance of Rs.2,50,000/- (cash) is being paid to the respondent/wife".

5. Recording the Settlement Agreement entered between the parties before the Mediation Centre, dated 30.07.2024 and the Memo filed before this Court dated 02.09.2024, this Civil Miscellaneous Appeal is closed. The Settlement Agreement shall form part of this judgment. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(J.N.B, J.) (R.S.V., J.)



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To

The II Additional Principal Judge,
Family Court, Chennai.



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J. NISHA BANU, J.

and

R. SAKTHIVEL, J.

asi

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