



C.M.A.No.1435 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MRS. JUSTICE R.KALAIMATHI**

C.M.A.No.1435 of 2021

S.Sathish Kumar
S/o Late R.Singaravelu

..Appellant

Vs.

G.Puviarasi
D/o V.Gowri Nathan

..Respondent

Prayer:

Civil Miscellaneous Appeal filed under Section 19 of Family
Courts Act against the judgment and decree dated 08.12.2020 passed by
the Family Court, Vellore in F.C.O.P.No.70 of 2018

For Appellant : Mrs.K.Santhakumari

For Respondent : Mr.T.Mathi

J U D G M E N T

(The order of the Court was made by Mrs.J.Nisha Banu,J.)

This Civil Miscellaneous Appeal has been filed by the



C.M.A.No.1435 of 2021

appellant/husband challenging the judgment and decree dated 08.12.2020 passed by the Family Court, Vellore in F.C.O.P.No.70 of 2018, by which, the petition filed to grant decree of divorce, was dismissed.

2. When the matter was taken up for hearing on 26.04.2024, the learned counsel for the appellant as well as the respondent submitted that there is a possibility of settlement if the matter is referred to mediation and accordingly, the matter was referred to Mediation and Conciliation Centre attached to this Court.

3. Before the Tamil Nadu Mediation and Conciliation Centre , the parties have voluntarily and on their own free will arrived at a Settlement in the presence of the Mediator. Paragraph Nos.6 and 7 of the Settlement Agreement recorded before the Tamil Nadu Mediation and Conciliation Centre reads as follows:

"6. The following settlement has been arrived at between the parties before the mediation on 16.07.2024.

a) The First Party agreed to settle Rs.15,00,000/-



WEB COPY



C.M.A.No.1435 of 2021

to each of his girl children, namely S.Amrithaa Varshini and S.Diksha Darshini for their welfare and education.

b) The Second Party (wife) agreed to give mutual consent divorce upon receiving the amount stated supra.

c) The second party agreed to give visitation rights if the first party is interested to visit in future.

d) The first party agreed to give back the things available as it where basis.

e) The first party agreed to return the belongings of the second party in his premises.

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to CMA.No.1435/2021. (Case No.) and all disputes and differences in this regard have been amicably settled by the Parties thereto through the process of Conciliation /Mediation."

4. Thus, the parties have come to an amicable settlement between themselves. The respondent/wife is working as a Professor. The appellant/husband produced before this Court, a demand draft for a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) taken in the name of his



C.M.A.No.1435 of 2021

WEB COPY

two children. The appellant would state that the said sum shall be deposited in the name of his two children viz., S.Amirthaavarshini and Diksha Darshini, aged about 18 years and 16 years respectively. Learned counsel for the appellant would further state that in view of the settlement arrived between the parties, he prays to allow the appeal.

5. Since the parties have come to a settlement among themselves, there shall be decree for divorce. Therefore, the order of dismissal passed passed by the Family Court, Vellore dated 08.12.2020 in F.C.O.P.No.70 of 2018 stands set side. Instead of producing the demand draft for a sum of Rs.30,00,000/- in the name of the two children, the appellant is directed to deposit a sum of Rs.15,00,000/- in the name of elder daughter viz., S.Amirthaavarshini, in a fixed deposit account in the Indian Bank, High Court Branch, Chennai, for a period of one year. As the said S.Amirthaavarshini is a major, she is permitted to withdraw the said amount after the period of one year. The appellant is also directed to deposit a sum of Rs.15,00,000/- in the name of the younger daughter viz., Diksha Darshini in the fixed deposit account in Indian Bank, High Court Branch, Chennai, for a period of two years and the interest accrued



C.M.A.No.1435 of 2021

WEB COPY

thereon shall be withdrawn by the mother/respondent herein once in three months for the welfare of the child/second daughter. The said Diksha Darshini is permitted to withdraw the said amount after she attains majority. The aforesaid deposits shall be made by the appellant and report before this Court on 30.08.2024. It is made clear that the parties have no further claims or demands against each other.

6. With the above directions, the Civil Miscellaneous Appeal stands disposed of. No costs.

Post the matter 'for reporting compliance' on 30.08.2024.

Index : Yes / No
Internet : Yes
vsi

(J.N.B,J.) (R.K.M., J.)
20.08.2024

Note: Issue order copy on 21.08.2024

To

The Family Court,
Vellore.



WEB COPY



C.M.A.No.1435 of 2021

J. NISHA BANU, J.
and
R.KALAIMATHI,J.

vsi

C.M.A.No.1435 of 2021

20.08.2024



WEB COPY



C.M.A.No.1435 of 2021