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C.R.P.(NPD).No.2416 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2024

Coram

THE HON'BLE MR JUSTICE V. LAKSHMINARAYANAN

C.R.P.(NPD) No.2416 of 2023

and

C.M.P.No.15108 of 2023

1.A.Adithya Alias John Abraham

2.M.S.Gomathi

..... Petitioners

-Versus-

B.Sridevi Alias Mercy

.... Respondent

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the final judgment dated 03.02.2023 passed by the III Additional District and Sessions Judge, Coimbatore in C.A.No.12 of 2022 partly modifying the order dated 17.12.2021 passed in DVA.No.432 of 2019 passed by the learned Judicial Magistrate, Special Court to try cases filed under the Domestic Violence Act, at Coimbatore.

*For Petitioners : Mr. A.Adithya Alias John Abraham
Party in person*

For Respondent : Ms.Gnanabanu



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ORDER

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This civil revision petition arises against the order passed by the learned III Additional District and Sessions Judge at Coimbatore in CrI.A.No.12 of 2022 dated 03.02.2023 in partly modifying the order passed by the Judicial Magistrate, Special Court to try cases filed under the Domestic Violence Act, Coimbatore in DVA.No.432 of 2019 dated 17.12.2021.

2. On 22.07.2024, I heard Mr.Adithya @ John Abraham and Ms.Gnanabanu at length. After hearing the parties, I became aware that the divorce proceedings between the first civil revision petitioner and the sole respondent had concluded granting decree for divorce. Both the first civil revision petitioner as well as the sole respondent have entered into matrimony with other individuals and have moved on. The only remnants which survive in the marriage is this litigation. Therefore, I suggested to Mr.John Abraham that he purchase peace by paying a sum of Rs.5,39,492/- to the sole respondent and listed the matter on 31.07.2024.

3. Both the parties have filed a memo stating that they have amicably settled the disputes and differences. The memo also reads that the respondent/wife has received a sum of Rs.5,39,520/- by way of a Demand Draft



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in DD.No.015192 dated 23.07.2024 drawn in favour of the respondent issued by the IDBI Bank, Thiruvallur Branch. In acknowledgement of the receipt of Demand Draft, she also made an endorsement on the court bundle. The parties have also filed a memo of compromise substantiating the same.

4. I do not find anything illegal or irregular in the memo of compromise entered into between the parties.

5. The erstwhile husband/ the first civil revision petitioner has paid the amount through Demand Draft and it has been readily received by the sole respondent/ Sridevi who is present in the court.

6. The civil revision petition is disposed of in terms of memo of compromise which shall form part of the decree. No costs. Consequently, the connected miscellaneous petition is closed.

31.07.2024

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Index : yes / no

Neutral Citation : yes / no

Speaking / Non Speaking Order



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V.LAKSHMINARAYANAN, J.
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To

- 1.The III Additional District and Sessions Judge, Coimbatore
- 2.The Judicial Magistrate, Special Court to try cases filed under the Domestic Violence Act, at Coimbatore.

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