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C.R.P.Nos.1572, 1573, 1574 & 1578 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

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THE HONOURABLE MR.JUSTICE **M.NIRMAL KUMAR**

C.R.P.Nos.1572, 1573, 1574 & 1578 of 2024

and

C.M.P. Nos.8467, 8473, 8476 & 8484 of 2024

P.Ramesh

... Petitioner in all C.R.Ps.

Vs.

G.Kokila

... Respondent in all C.R.Ps.

Common Prayer: Civil Revision Petitions filed under Article 227 of Constitution of India, praying to set aside the fair and decreetal order dated 18.08.2023 made in I.A.No.6 of 2023, I.A.No.1 of 2021, I.A.No.7 of 2023 & I.A.No.8 of 2023, respectively in H.M.O.P.No.3158 of 2019, passed by the II Additional Principal Family Court at Chennai and allow these Civil Revision Petitions.

For Petitioner : Mr.K.Venkateswaran
in all C.R.Ps. for Mr.G.Mahendran

For Respondent : Mr.K.Surendar Kumar
in all C.R.Ps.



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COMMON ORDER

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These Civil Revision Petitions have been filed seeking to set aside the fair and decretal order dated 18.08.2023 made in I.A.No.6 of 2023, I.A.No.1 of 2021, I.A.No.7 of 2023 and I.A.No.8 of 2023, respectively, in H.M.O.P.No.3158 of 2019 by the II Additional Principal Family Court, Chennai.

2.Earlier, this Court, on 10.07.2024, referred C.R.P.Nos.1572 and 1573 of 2024 to the Tamil Nadu Mediation and Conciliation Centre attached to this Court. In the mediation process, the issue between both the petitioner and respondent got resolved. Apart from these two cases, viz., C.R.P.Nos.1572 and 1573 of 2024, the parties have also resolved their issues in C.R.P.Nos.1574 and 1578 of 2024 and they have also entered into a Settlement Agreement dated 30.09.2024.

3.A scanned reproduction of the Settlement Agreement dated 30.09.2024 signed by the parties and their respective counsels, read as follows:



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SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT is entered at Chennai on this the 30th day of September, 2024 between :

P. Ramesh
Son of Pellanmuthu'yar,
No.459, Ganga Yamman Kovil Street,
Kathirvedu,
Puzhal, Chennai-600056.

-vs-

G. Kokila
Daughter of Gopala Krishnan,
Wife of P. Ramesh,
No.14/40a, K.C.Garden 2nd Street,
Peravallur, Chennai-600 082.
Presently residing at
No.71/15, Gandhi Nagar, I street,
Tiruv-Vi- Ka Nagar,
Chennai - 600 082

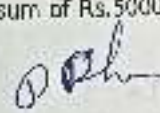


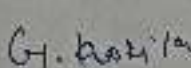
...Petitioner

... Respondent.

WHEREAS :

1. Due to disputes and differences in the matrimonial life between the Parties hereto, the Respondent herein has filed a Petition in HMOP No.3156 of 2019 before the II Additional Principal Judge, Family Court, Chennai, seeking for divorce on the ground of alleged cruelty as against the Petitioner herein. It is further submitted that during the pendency of the above HMOP, the Respondent herein has filed an application in I.A.No.1 of 2021, seeking for interim maintenance and the Petitioner herein has also filed three applications seeking for permission to cross examine the Petitioner in HMOP, to issue interrogatories and also seeking to issue subpoena to the witness in I.A.Nos. 6 to 8 of 2023 and all the applications were heard and decided on 18.08.2023 by allowing the interim maintenance application in I.A.No.1 of 2021 and directing the Petitioner herein to pay a sum of Rs.10,000/- to the Respondent herein and a sum of Rs.5000/- to the







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minor child of the Petitioner to the Respondent herein from the date of the petition in I.A.No.1 of 2021 and dismiss the application filed by the Petitioner in I.A. Nos. 6 to 8 of 2023. Aggrieved by the order made in the above applications, the Petitioner herein has preferred the above CRR.Nos 1572,1573, 1574 and 1578 of 2024 before the Hon'ble High Court, Madras.

2. The above CRPs were referred to Mediation/Conciliation vide an Order dated 10.07.2024 passed by Hon'ble Justice Mr. M.Nirmal Kumar.
3. The Parties hereto agreed that Mrs.A.Kayalvizhi and Mrs.R.Gedha Lingeswaran would act as their Mediators/Conciliators.
4. Several meetings were held during the process of Mediation/Conciliation from 18.07.2024 to 30.09.2024 and the Parties hereto have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above-mentioned disputes and differences.
5. The Parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.
6. The following settlement has been arrived at between the Parties hereto :
 - A. The Respondent herein has agreed to withdraw the pending divorce petition in HMOP No.3158 of 2019 and connected Execution Petition in E.P.No. 29 of 2024, pending on the file of the II Additional Principal Judge, Family Court, Chennai on the next hearing i.e. on 07.10.2024 or early date by way of filing necessary application to advance the hearing application to advance the hearing of the above case for withdrawal.
 - B. The Petitioner and the Respondent have mutually agreed to dissolve the marriage solemnized between them on 12.06.2015 at Sri Sundhara Vinayagar Mahal, No.3,

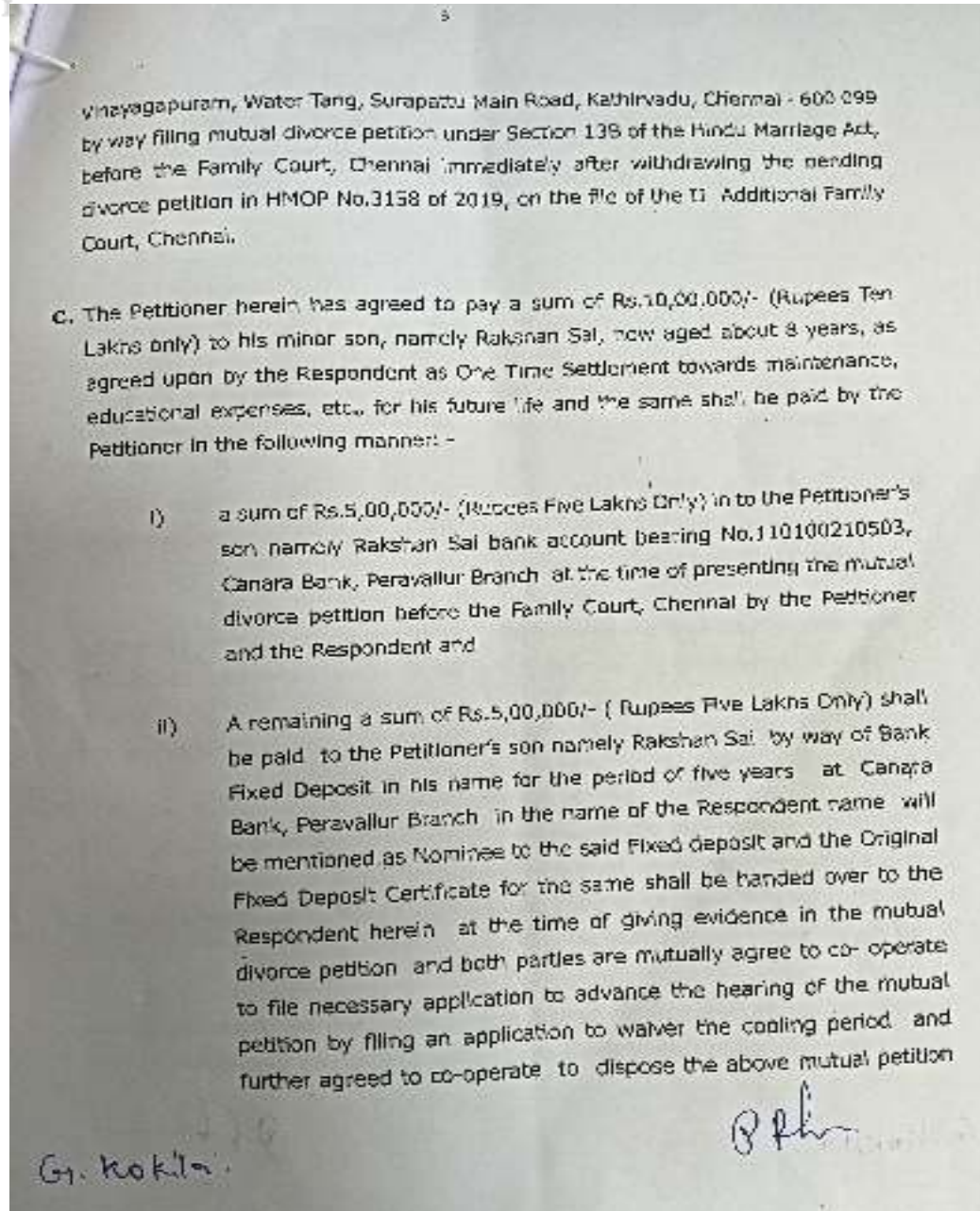
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Within 45 days from the date of signing this settlement agreement. The Petitioner herein hereby declare that he shall not claim any right in the aforesaid fixed deposit in future at any point of time.

D. In pursuance of the compliance of clause "C" of this settlement agreement i.e. payment of Rs.10,00,000/- (Rupees Ten Lakhs only) to the Petitioner's minor son as maintenance and educational expenses etc., by way of Fixed Deposit in the name of the Petitioner's son, the Respondent herein has relinquished her right of claiming the maintenance or alimony under whatsoever manner in past, present or future.

E. That the Petitioner hereby declare that his minor son is entitled to get right over any immovable properties if any left over by the Petitioner by way of inheritance/ acquired by the Petitioner in future.

F. That the Respondent is having the custody of the minor son Rakshan Sai and the Petitioner is entitled to visitation right in of his minor son namely Rakshan Sai on every Saturday at public place as mutually agreed by the parties until attaining major, the Respondent has no objection and agrees to co-operate with the Petitioner in this regard.

G. That if the Petitioner is fails to comply the terms as mentioned in Clause "C" of this settlement agreement, then the Respondent entitle to re-open the divorce petition in HMOP No.3158 of 2019 and E.P.No.29 of 2024 on the file of the II Additional Family Court, Chennai.

H. That the Parties hereto also agrees and accepts that the above terms and conditions mentioned herein above shall be the same terms of settlement in the

G. Kokila

[Signature]



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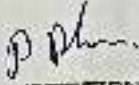
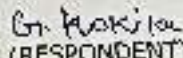
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Mutual Divorce Petition under section 13B of Hindu Marriage Act, 1955 between the parties at the time of presenting before the Hon'ble Principal Family Court.

7. That the Parties hereto agree that this Settlement Agreement shall be filed before the Hon'ble High Court, Madras in CRP Nos.1572, 1573, 1574 and 1578 of 2024 and pray that the same may be disposed in terms of this Settlement Agreement.

8. By signing this Settlement Agreement, the Parties hereto state that they have no further claims or demands against each other with respect to subject matter in CRP.Nos. 1572, 1573, 1574 and 1578 of 2024 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of the Conciliation/Mediation

Dated at Chennai, on this 30th day of September, 2024

PARTIES SIGNATURE :	 (PETITIONER)	 (RESPONDENT)
COUNSELS' SIGNATURE :	 (PETITIONER)	 (RESPONDENT)





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The above terms of Settlement Agreement are recorded.

4.In view of the above settlement arrived at between the parties, these Civil Revision Petitions are disposed of in terms of the Settlement Agreement. The said Settlement Agreement shall form part of the order. No costs. Consequently, connected miscellaneous petitions are closed.

28.10.2024

Speaking Order/Non Speaking Order
Index : Yes/No
Internet : Yes/No
Neutral Citation: Yes/No
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To

The II Additional Principal Judge,
II Additional Principal Family Court,
Chennai.



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M.NIRMAL KUMAR, J.

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and
C.M.P. Nos.8467, 8473, 8476 & 8484 of 2024

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