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CMA.No.1879 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

THE HONOURABLE MRS. JUSTICE J. NISHA BANU

&

THE HONOURABLE MR.JUSTICE P.DHANABAL

C.M.A.No.1879 of 2021
and CMP.10136 of 2021

Thiagarajan

... Appellant

Vs.

Devaki

... Respondent

Prayer : Civil Miscellaneous Appeals filed under section 19 of Family Courts Act against the decree and order in H.M.O.P.No.345 of 2013 dated 29.03.2021 on the file of Additional Principal Family Court, Coimbatore.

For Appellant : Ms.V.Srimathi

For Respondent : Mrs.N.S.Keerthitha
for M/s.Sarvabhauman Associates



JUDGMENT

[Order of the Court was made by J.NISHA BANU, J.]

The above Civil Miscellaneous Appeal is filed by the appellant-husband as against the order passed in HMOP.No.345 of 2013 dated 29.03.2021.

2. On 15.07.2024, we directed both the parties to appear before the Tamil Nadu Mediation and Conciliation Centre with respective counsel in person on 22.08.2024 for mediation.

3. Before the Mediation Centre, after mediation/conciliation, both parties arrived at a settlement in the presence of Mediator/Conciliator and settled the disputes and differences through the process of conciliation/mediation. On 14.10.2024, settlement was arrived and settlement agreement was entered into between the parties. The terms of the settlement agreement is extracted hereunder:-

“SETTLEMENT AGREEMENT

“WHREAS



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1. Disputes and differences had arisen between the parties hereto and CMA.No.1879 of 2021 was filed on 06.08.2021 before the Hon'ble High Court of Madras.

2. The matter was referred to mediation/conciliation vide an order dated 15.07.2024 passed by Hon'ble Justice JNBJ:PDBJ

3. The parties agreed that C.Devi B.A.B.L., would act as their mediation/conciliation.

4. Several meetings were held during the process of Mediation/Conciliation from 22.07.2024 to 14.10.2024 and the parties 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 confide and declare that they have voluntary 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 appellant and respondents arrived at a settlement agreement on 14.10.2024 before mediation and mediator on Madras High Court on undergoing sessions, the appellant Thiagarajan agreed to pay total sum of Rs.9,50,000/- (Nine Lakhs fifty thousand only) in two installments. Today appellant is paying Rs.2,00,000/- (Two lakhs) via cheque # 000006 – Bank of Baroda dated 14.10.2024 and the balance amount of Rs.7,50,000/- (Seven lakhs fifty thousand) on or before



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18.11.2024. If the appellant fails to pay the balance amount on or before 18.11.2024 the respondent is having right to initiate appropriate action in accordance with law.

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.1879 of 2021 (Case No) and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation/Mediation. “

4. In terms of the above settlement agreement arrived at between the parties, the Civil Miscellaneous Appeal is disposed of. The settlement agreement shall stand form part and parcel of the decree.

5. Since the matter is settled between the parties, the Registry shall refund the Court Fee as per Rules in force. No costs. Connected MP is closed.

[J.N.B.,J.] [P.D.B.,J.]
22.10.2024

nvsri



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To
The Judge,
Additional Principal Family Court, Coimbatore.



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**J. NISHA BANU, J.
and
P.DHANABAL, J.**

nvsri

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22.10.2024