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C.M.A.No.327 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM

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

C.M.A.No.327 of 2023

M.Selvi
D/o Muthusamy Mudhaliar

..Appellant

Vs.

K.Harikrishnan,
S/o Kothandan

..Respondent

Prayer:

Civil Miscellaneous Appeal filed under Section 55 of Indian Divorce Act against the fair and decreetal order dated 31.10.2022 passed in HMOP.No.162 of 2019 on the file of the Family Court at Thiruvallur.

For Appellant : Mr.M.Dhinakaran

For Respondent : Mr.K.Balaji

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 appellant/wife against the fair and decreetal order dated 31.10.2022



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passed in HMOP.No.162 of 2019 on the file of the Family Court at Thiruvallur, granting decree of divorce.

2. Today, when the matter was taken up for hearing, learned counsel for the appellant and the respondent would state that pending the appeal, the appellant and the respondent settled the issue among themselves and they are living together. Learned counsel for the appellant and the learned counsel for the respondent filed a Joint Memo dated 12.08.2024 duly signed by the parties and their respective counsel. Learned counsel appearing on either side would state that the Civil Miscellaneous Appeals may be disposed of in terms of joint memorandum of compromise.

3. The Joint Memorandum of Compromise dated 12.08.2024 is extracted hereunder:

JOINT MEMO FILED BY THE APPELLANT AND THE RESPONDENT

1. It is submitted that marriage between the appellant and the respondent has solemnized on 22/06/2008 at M.R.M. Thirumana Mandapam, No.15, Kamaraj Salai, Thiruvallur.

2. *The respondent herein filed a divorce petition in H.M.O.P.No.162 of 2019 before the Family Court, Thiruvallur. The same was allowed on*



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31/10/2022. Against the order, the Appellant preferred this appeal.

3. While the appeal is pending, both appellant and respondent herein are compromised and both started to live together happily.

Therefore, herewith both parties are praying that this Hon'ble Court may be pleased to allow this CMA and set aside the divorce order passed by the Family Court, Thiruvallur in H.M.O.P.No.162 of 2019 order dated 31.10.2022 and thus render justice.

4. The above joint memo of compromise is recorded. In view of the Joint Memo filed by the appellant and the respondent today (12.08.2024), the fair and decreetal order passed by the learned Family Court, Tiruvallur in H.M.O.P.No.162 of 2019 dated 31.10.2022 is hereby set aside. Accordingly, the Civil Miscellaneous Appeal is allowed. The joint memo dated 12.08.2024, filed by the parties shall form part of the decree. No costs.

(J.N.B,J.) (R.K.M., J.)
12.08.2024

Index : Yes / No
Internet : Yes
vsi

To



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The Family Court at Thiruvallur

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

vsi

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