



C.R.P. No.4699 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2024

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

C.R.P. No.4699 of 2023

Narayanamurthy

... Petitioner

Vs.

Selvi

... Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 04.10.2021 in I.A.No.485 of 2019 in O.S.No.129 of 2009 on the file of Principal Subordinate Judge, Vriddhachalam, Cuddalore District.

For petitioners : Mr.L.Palani Muthu

For Respondents : Mr.G.Surya Narayanan

ORDER

The present civil revision petition has been filed under Article 227 of the Constitution of India against the fair and decreetal order dated 04.10.2021 in I.A.No.485 of 2019 in O.S.No.129 of 2009 on the file of Principal Subordinate Judge, Vriddhachalam, Cuddalore District.



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2.Learned counsel on either side would submit that the revision arises out of the matrimonial dispute. Pending civil revision petition, the parties have arrived at mutual/amicable settlement and the petitioner/ husband has settled the amount of Rs.10,00,000/-(Rupees ten lakhs only) by way of three Demand Drafts drawn in favour of the respondent/wife viz., Selvi N in (i)Indian Bank, Veppur Branch bearing No.094122 dated 11.09.2024 to the tune of Rs.1,50,000/-; (2)Canara Bank, Vepuur Branch bearing No.515623 dated 24.09.2024 to the tune of Rs.2,50,000/- and (3)Canara Bank, Vepuur Branch bearing No.515652 dated 15.10.2024 to the tune of Rs.6,00,000/- as maintenance/permanent alimony and the respondent-wife had agreed to receive that amount as full and final settlement and that she shall not claim any maintenance in future.

3.The parties have also filed a joint memo of compromise before this Court to that effect and would pray that the civil revision petition may be disposed of in terms of the joint memo of compromise dated 21.10.2024 and the respondent wife had also agreed to withdraw O.S.No.129 of 2009 on the file of Principal Sub Court, Vriddhachalam.



4.The parties are present before the Court and legally settled the dispute between them.

5. The Joint memo of compromise filed by both parties reads thus.

1. The respondent filed petition for restitution of conjugal rights before the learned Principal Sub Court, Vriddhachalam in H.M.O.P.No.115 of 2006 and the same was decreed as ex-parte on 07.11.2007.
2. The parties then due to difference of opinion got separated and consequently the parties have been living separately from each other since 2006 i.e.,more than 18 years and it became quite impossible for the parties to live as husband and wife under one and the same roof.
3. That there is temperamental differences between both the parties. Hence both the parties have mutually decided to dissolve their marriage by way of filing of petition under Section 13(B) of the Hindu Marriage Act for dissolution of the marriage by mutual consent in future.
4. It is agreed between the parties that both the parties have amicably settled all their disputes towards belonging to them.



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Further in addition to that the petitioner paid a sum of Rs.10,00,000/- (Rupees ten lakhs only) by way of Demand Drafts, bearing No.094122 dated 11.09.2024 drawn on the bank namely M/s Indian Bank, Veppur Branch for Rs.1,50,000/- bearing No.515623, dated 20.09.2024 drawn on the bank namely M/s Canara Bank, Veppur Branch for Rs.2,50,000/- and bearing No.515652 dated 15.10.2024 drawn on the bank namely M/s Canara Bank, Veppur Branch for Rs.6,00,000/- totally Rs.10,00,000/-. The respondent do hereby acknowledge the receipt of the said three demand drafts for sum of Rs.10,00,000/- (Rupees ten lakhs only) as maintenance, permanent alimony and full and final settlement and the respondent hereby declare that she shall not claim any maintenance from the petitioner in future.

5. Both the parties hereby declare that they have already collected their respective belongings and there is no claim against each other in any manner. That both the parties have settled all their disputes amicably and peacefully.
6. Both parties are hereby agreed and undertakes that they shall not claim any share in respect of movable and



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immovable properties belonging to one and another in future.

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7. It is agreed between the parties, that both the parties shall not file any suit, petition or complaint etc., against each other and the family members of each other in future and the respondent shall withdraw all the cases, more particularly,
- a) O.S. No.129 of 2009 before the learned Principal Sub Court at Vriddhachalam;
 - b) E.P.No.71 of 2019 before the learned Principal Sub Court at Vriddhachalam;
8. The proceedings if filed anywhere before any authority and whenever the same comes to the knowledge of the parties besides the cases mentioned above, those proceedings shall also be withdrawn.
9. That the parties assert that they have no claim against each other and they shall not make any claim whatsoever in future.

6. Recording the Joint Memo of Compromise dated 21.10.2024, the civil revision petition stands disposed of. The Joint Memo of Compromise dated 21.10.2024 filed by both parties shall form part of the Court



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records. No costs.

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21.10.2024

Index: Yes/No

raa

To

1. Principal Sub Court, Vriddhachalam.



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A.D.JAGADISH CHANDIRA, J.

raa

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