



C.M.A(MD)Nos.757 and 758 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
AND
THE HON'BLE MR.JUSTICE K.K.RAMAKRISHNAN

C.M.A(MD)Nos.757 and 758 of 2021
and
C.M.P(MD)No.6904 of 2021

C.M.A(MD) No.757 of 2021:

Sivasankar

... Appellant/Respondent

.Vs.

Jenibarani

... Respondent/Petitioner

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, 1984, to call for the records pertaining to the fair and decreetal order passed by the learned Family Judge, Madurai in HMOP No.657 of 2016 dated 14.09.2020 and to set aside the same.

For Appellant : Mr.Niranjan S.Kumar

For Respondent : Mr.K.Baalasundaram
for Mr.R.Manoharan



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C.M.A(MD) No.758 of 2021:

Sivasankar

... Appellant/Petitioner

.Vs.

Jenibarani

... Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, 1984, to call for the records pertaining to the fair and decreetal order passed by the learned Family Judge, Madurai in HMOP No.789 of 2018 dated 14.09.2020 and to set aside the same.

For Appellant : Mr.Niranjan S.Kumar

For Respondent : Mr.K.Baalasundaram
for Mr.R.Manoharan

COMMON JUDGMENT

(Judgment of the Court was delivered by **P.VELMURUGAN,J.**)

Since both the appeals are arising out same order, they are heard together and common order is passed.



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2. The respondent/wife has filed HMOP No.657 of 2016 before the Family Court, Madurai seeking restitution of conjugal rights. The petitioner/husband has filed HMOP No.789 of 2018 seeking divorce.

3. Pending proceedings, both the parties have entered into a joint compromise and filed a joint compromise memo dated 13.08.2024 along with mutual compromise deed dated 13.08.2024 before this Court. Both the parties along with their son appeared before this Court today and they accepted that they entered into a joint compromise.

4. In view of the joint compromise memo filed between the parties, the HMOP No.789 of 2018 filed by the husband is decreed and HMOP No.657 of 2018 filed by wife is dismissed and both the appeals are allowed and the joint compromise memo filed shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.



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5. As per mutual compromise deed, the petitioner/husband has paid a sum of Rs.1,00,00,000/- (Rupees One Crore only) through Demand Draft bearing No. 000931 dated 12.08.2024 drawn from HDFC Bank, Madurai, to the respondent/wife and she also accepted the same. They also agreed that the balance amount will be paid within the stipulated time.

6. List the matter under the caption 'for reporting compliance" after payment or on 17.03.2025.

(P.V.,J.) (K.K.R.K.,J.)
13.08.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To
The Family Court, Madurai



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