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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.S.A(MD)Nos.8 & 9 of 2023

and

C.M.S.A(MD)Nos.7062 & 7063 of 2023

M.Narmatha

... Appellant in both the
Appeals

Vs.

Senthilraja

... Respondent in both the
Appeals

COMMON PRAYER: Civil Miscellaneous Second Appeals are filed under Section 28 of Hindu Marriage Act and Order 43, Rule 1 read with Section 100 of Civil Procedure Code, to set aside the Order dated 03.02.2023 made in HMCMA Nos.1 & 2 of 2021 on the file of the Learned Additional District Court, Virudhunagar, against the H.M.O.P.Nos.2 of 2017 & 29 of 2019 dated 12.12.2019.

In both the Appeals:

For Appellant : M/s.J.Vishnu

For Respondent : Mr.J.Senthil Kumar



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JUDGMENT

The wife has preferred these Appeals to set aside the Order, dated 03.02.2023 made in HMCMA Nos.1 & 2 of 2021 on the file of the Learned Additional District Court, Virudhunagar, against the H.M.O.P.No.2 of 2017 & 29 of 2019 dated 12.12.2019.

2. The Appellant herein/wife has filed a petition in H.M.O.P.No.2 of 2017 was filed under Section 13(1)(i-a) of Hindu Marriage Act, seeking decree for divorce and the said petition was dismissed and the husband has filed a petition in H.M.O.P.No.29 of 2019 under Section 9 of Hindu Marriage Act for Restitution of Conjugal Rights and the same was allowed. Against the same, the wife has preferred two appeals in H.M.C.M.A. Nos.1 & 2 of 2021 and the same were dismissed. Against the said dismissal, the wife is before this Court.

3. Pending appeals, the parties have entered into a settlement and the terms of joint compromise has been reduced into writing and both the parties as well as their respective counsel signed the joint compromise memo. The said



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joint compromise memo is filed before this Court.

4. In view of the same, the joint compromise memo is recorded. The Civil Miscellaneous Second Appeals are disposed of in terms of the joint compromise. The joint compromise memorandum shall form part and parcel of this judgment and decree. No costs. Consequently, connected miscellaneous petitions are closed.

22.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
KSA

To

- 1.The Additional District Court,
Virudhunagar.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.

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Common Order made in
C.M.S.A(MD)Nos.8 & 9 of 2023

22.03.2024