



C.M.A.(MD)Nos.1189 & 1191 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.03.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**
AND
THE HONOURABLE **MR.JUSTICE K.K. RAMAKRISHNAN**

C.M.A.(MD)Nos.1189 & 1191 of 2023
and
C.M.P.(MD)No.15805 of 2023

S.Nesamani

...Appellant in both appeals

/Vs./

M.L.Mathubala

...Respondent in both appeals

PRAYER in CMA(MD)No.1189 of 2023:- Appeal - filed under under Section 19(1) of the Family Courts Act, 1984, to call for the records pertaining to the fair and decreetal order passed by the learned Family Court Judge, Sivagangai in HMOP No.15 of 2022 dated 30.01.2022 and set aside the same.



C.M.A.(MD)Nos.1189 & 1191 of 2023

PRAYER in CMA(MD)No.1191 of 2023:- Appeal - filed under under Section 19(1) of the Family Courts Act, 1984, to call for the records pertaining to the fair and decreetal order passed by the learned Family Court Judge, Sivagangai in HMOP No.285 of 2021 dated 30.01.2022 and set aside the same and to dissolve the marriage, which was solemnized on 20.08.2014 between the appellant and the respondent.

In both Appeals:-

For Appellant : Mr.S.Balaji
For Respondent : Mr.P.Kanagarajan

COMMON JUDGMENT

(Judgment of the Court was made by **V.BHAVANI SUBBAROYAN, J.**)

The present appeals have been filed challenging the fair and decreetal orders passed by the learned Family Court Judge, Sivagangai in HMOP No.15 of 2022 and in HMOP No.285 of 2021 both dated 30.01.2022 with a direction to dissolve the marriage, which was solemnized on 20.08.2014 between the appellant and the respondent.



C.M.A.(MD)Nos.1189 & 1191 of 2023

WEB COPY

2. This Court, by order dated 24.11.2023 had directed the parties to appear before the Mediation and Conciliation Centre attached to this Bench for amicable settlement with consent of both parties.

3. Today, when the matter was taken up for hearing, it is seen that mediation report dated 10.01.2024 has been filed along with the settlement agreement entered into between the parties on 10.01.2024 signed by them and their respective counsel stating that the dispute between the parties has been settled and that both the parties agree to withdraw all the connected cases before this Court as well as any other Courts. The said settlement agreement is recorded, which is scanned hereunder:-



WEB COPY



C.M.A.(MD)Nos.1189 & 1191 of 2023

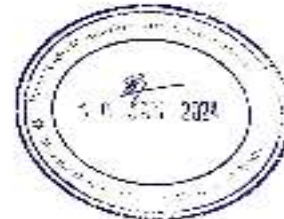


**Tamil Nadu Mediation and Conciliation Centre
Madurai Bench of Madras High Court, Madurai.**

MEDIATION REPORT

Mediation File No. : 353/2023
Court Case No. : CMA(MD)NO.1189 & 1191/2023
Referred By : THE HON'BLE MR JUSTICE R.M.T. HEKKA, JAMN
A
THE HON'BLE MR JUSTICE P.B.BALAJI
Date of Referral : 24-11-2023
Name of the Mediator(s) : M/S.M. PUNITA DEVAKLIMAR
Dates of Mediation Sessions : 11-12-2023, 24-12-2023, 03-01-2024 & 10-01-2024
Name of the Petitioner(s) : S.NEESAKANI IN BOTH CMA'S
Name of the Respondent(s) : M.L. MATHURAJA IN BOTH CMA'S
Counsel for Petitioner(s) : M/S.S.UMA A.J.
Counsel for Respondent(s) : M/S.P.RANAGAJALAN

- ☒ 1. Mediation completed. Agreement reached.
or
☐ 2. Mediation completed. No agreement was reached.
or
☐ 3. Petitioner(s)/appellant(s)/plaintiff(s) only appeared.
Willing/not willing for mediation.
or
☐ 4. Respondent(s)/Defendant(s) only appeared.
Willing/not willing for mediation.
or
☐ 5. Both parties were absent consecutively for three hearings.
Mediation Court not be commenced.



Dated: 10.01.2024

Signature of the Mediator(s)



WEB COPY



C.M.A.(MD)Nos.1189 & 1191 of 2023

differences.

5. The parties hereto confirm and declare that they have voluntarily 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. Both Parties Settled their Disputes Agreed to withdraw connected all the cases before this honorable High Court and pay other costs order.



7. By signing this Agreement in Parties hereto declare that they have no further claims or demands against each other with respect to the matters agreed upon and that all disputes and differences in this regard have been amicably settled by the Parties hereto by using the process of mediation/conciliation.

S. [Signature]

N. [Signature]



C.M.A.(MD)Nos.1189 & 1191 of 2023

WEB COPY

DATE: 10.01.2024

PARTIES SIGNATURE

S. Seshumoni
(Petitioner)
(S. Seshumoni)

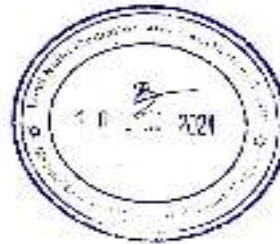
N. Madhubala
(Respondent)
(N. Madhubala)

COUNSEL'S SIGNATURE

S. S. Siva
(Petitioner)
(S. S. Siva)

S. P. K. Srinivas
(Respondent)
(S. P. K. Srinivas)

10/01/24
mediation



The appellant and the respondent also appeared before this Court today and stated that they are going to live together for the welfare of their children.



C.M.A.(MD)Nos.1189 & 1191 of 2023

WEB COPY

4. In view of the settlement arrived at between the parties, the Civil Miscellaneous Appeals are disposed of. The mediation report dated 10.01.2024 along with the settlement agreement entered into between the parties on 10.01.2024 signed by the parties and their respective counsel shall form part of this judgment and decree. The decree shall be drawn in terms of the settlement agreement filed before this Court. No costs. The Registry is directed to refund the Court fee, if any, since the matter is settled in mediation. Consequently, connected miscellaneous petition is closed.

(V.B.S.J.) & (K.K.R.K.J.)
05.03.2024

NCC :Yes/No
Index :Yes/No
Internet :Yes
sm



C.M.A.(MD)Nos.1189 & 1191 of 2023

WEB CUTO:-

1.The Family Court Judge, Sivagangai.



WEB COPY



C.M.A.(MD)Nos.1189 & 1191 of 2023

V.BHAVANI SUBBAROYAN, J.
and
K.K. RAMAKRISHNAN, J.

sm

Common Judgment made in
C.M.A.(MD)Nos.1189 & 1191 of 2023

Dated:
05.03.2024