



C.R.P(MD)No.1733 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CRP(MD)No.1733 of 2024

and

CMP(MD)No.10020 of 2024

Thamaraikannan

... Petitioner / Petitioner

Vs.

Uma Maheswari

... Respondent /Respondent

Prayer : Civil Revision Petition filed under Article 227 of the Constitution of India, to strike off the petition in DVC Petition No.25 of 2024 before the Judicial Magistrate – Additional Mahila Court, Ramanathapuram.

For Petitioner : Mr.T.Sakthi Kumaran

For Respondent : Mr.M.Thirunavukkarasu



C.R.P(MD)No.1733 of 2024

ORDER

WEB COPY Heard both sides.

2.This civil revision petition has been filed to quash the proceedings in DVC No.25 of 2024 on the file of the Judicial Magistrate / Additional Mahila Court, Ramanathapuram. It was submitted that the parties are locked in quite a few litigations. It was suggested that the issues can be amicably resolved. Pursuant to the efforts taken by the learned counsel on either side, all the outstanding issues have been amicably resolved. A joint memo of compromise dated 12.09.2024 signed by the parties as well as the respective counsel has been filed. This civil revision is disposed of in terms of the aforesaid compromise in the following terms :

a) The petitioner herein acknowledges that he has to pay a sum of Rs.56.00 lakhs along with a gold chain weighing nine sovereigns to the respondent/wife.

b) The petitioner has paid a sum of Rs.6.00 lakhs today by way of cash to the respondent in my presence. He has to pay the balance amount of Rs.50.00 lakhs to the respondent on or before 20.12.2024. This sum shall represent the permanent alimony payable to the respondent.



WEB COPY



C.R.P(MD)No.1733 of 2024

On receipt of the said amount, the respondent herein shall not have any further claim against her husband and it shall be towards full and final settlement.

c) The gold chain weighing nine sovereigns will be given to the respondent on or before 22.10.2024 by the petitioner.

d) The proceedings in DVC No.25 of 2024 on the file of the Judicial Magistrate / Additional Mahila Court, Ramanathapuram, Cri A No.56 of 2023 on the file of the Principal District Court, Ramanathapuram, C.C No.223 of 2022 on the file of the Judicial Magistrate Court / Additional Mahila Court, Ramanathapuram shall stand stayed till 20.12.2024.

e) Upon compliance of the terms of compromise memo by the petitioner herein and filing of memo to that effect before the concerned courts, all the aforesaid proceedings will stand terminated.

f) The proceedings in DVC No.25 of 2024 on the file of the Judicial Magistrate / Additional Mahila Court, Ramanathapuram shall be closed.

g) Cri A No.56 of 2023 on the file of the Principal District Court, Ramanathapuram will stand allowed by setting aside the judgment and sentence imposed vide



C.R.P(MD)No.1733 of 2024

judgment dated 13.10.2023 in C.C No.263 of 2019 on the file of the Judicial Magistrate / Additional Mahila Court, Ramanathapuram (C.C 234 of 2017 was transferred and renumbered as C.C No.263 of 2019 to Judicial Magistrate / Additional Mahila Court, Ramanathapuram).

h) C.C No.223 of 2022 on the file of the Judicial Magistrate Court / Additional Mahila Court, Ramanathapuram will stand quashed.

i) If the petitioner herein fails to adhere to the undertaking given before this Court by failing to pay Rs.50.00 lakhs to the respondent within 20.12.2024, the proceedings now put on hold will stand automatically revived and will be taken to their logical conclusions. The payment already made will stand forfeited in favour of the respondent.

j) The petitioner herein filed CMA (MD) Nos.394 & 395 of 2020 before the Hon'ble Division Bench of this Court. CMA (MD) No.394 of 2020 arose out of HMOP No.59 of 2019 on the file of the Family Court, Ramanathapuram. It was a O.P for dissolution of marriage and it was dismissed. The respondent filed HMOP No.133 of 2019 on the file of the Family Court, Ramanathapuram for restitution of conjugal rights and it was allowed. Questioning the same, the petitioner Thamaraikannan filed CMA (MD) No.395 of 2020 before the Hon'ble Division Bench. Once the petitioner fulfills the terms of compromise, the parties herein shall



C.R.P(MD)No.1733 of 2024

move the Hon'ble Division Bench for dissolving their marriage by mutual consent.

k) The respondent gives up her right to receive maintenance in terms of the order passed in MC No.8 of 2017 on the file of the Chief Judicial Magistrate Court, Ramanathapuram.

l) The joint compromise memo filed by the parties herein shall form part of this order.

3.This civil revision petition is disposed of accordingly. No costs.

Connected miscellaneous petition is closed.

12.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
SKM

To

5/7



C.R.P(MD)No.1733 of 2024

WEB COPY

- 1.The Principal District Judge, Ramanathapuram
- 2.The Family Court Judge, Ramanathapuram.
- 3.The Chief Judicial Magistrate, Ramanathapuram.
- 4.The Judicial Magistrate / Additional Mahila Court,
Ramanathapuram.

Copy to :

The Record Keeper,
V.R Section,
Madurai Bench of the Madras High Court.



WEB COPY



C.R.P(MD)No.1733 of 2024

G.R.SWAMINATHAN, J.

SKM

CRP(MD)No.1733 of 2024
and
CMP(MD)No.10020 of 2024

12.09.2024