



C.M.A(MD) No.1071 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 28.11.2024

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE P.VADAMALAI**

C.M.A(MD) No.1071 of 2023

M.Muthukumar

... Appellant / Petitioner

Vs.

Saranya

... Respondents / Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of Family Courts Act, as against the Judgment and Decree passed in H.M.O.P.No. 175 of 2022 on the file of the learned Family Court, Virudhunagar District at Srivilliputhur, dated 11.07.2023.

For Appellant : Mr.G.Thalaimutharasu

For Respondent : Mr.C.Amarnath



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ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. Muthukumar married Saranya on 10.12.2021 at P.K.Vijaya Marriage Hall, Krishnankovil. The relationship between them came under strain. Muthukumar filed H.M.O.P.No.175 of 2022 on the file of the Family Court, Virudhunagar at Srivilliputhur for dissolving his marriage on the ground that his wife had committed cruelty. He examined himself as P.W.1 and marked Ex.P1 to Ex.P4. Saranya examined herself as R.W.1. One Murugan was examined as R.W.2. After considering the evidence on record, the trial Court dismissed H.M.O.P.No.175 of 2022 on 11.07.2023. Aggrieved by the same, Muthukumar filed C.M.A(MD)No.1071 of 2023 under Section 19 of the Family Courts Act, 1984. During the pendency of this appeal, the parties negotiated between themselves and it has been decided between them that marriage can be dissolved by mutual consent. Accordingly, C.M.P. (MD)No.17182 of 2024 has also been filed. The parties are present



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before us and we also enquired the parties in person. Through the marriage, no child has been born. A sum of Rs.4,50,000/- has been paid by the appellant Muthukumar to Saranya towards permanent alimony. All the articles that were gifted at the time of wedding had also been returned to Saranya. Saranya makes it clear before us that she has no further claim against the appellant.

3.Taking note of all these aspects, cooling period of six months can also be waived. In view of the petition filed under Section 13(b) of the Hindu Marriage Act, 1955, it is declared that the marriage solemnized between the appellant and the respondent on 10.12.2021 at Krishnankovil stands dissolved. The Civil Miscellaneous Appeal is disposed of accordingly. No costs.

(G.R.S., J.) (P.V.M., J.)
28.11.2024

Index : Yes / No
Internet : Yes / No
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The Family Court, Virudhunagar District at Srivilliputhur.



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P.VADAMALAI, J.

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