



CMA.Nos.608 of 2017 & 609 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 19.09.2025

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

C.M.A.Nos.608 of 2017 & 609 of 2017
& C.M.P.Nos.3530 & 3531 of 2017, 12064 & 11123 of 2017

S.Dinesh, aged 35 years,
S/o.K.Sridharan,
No.89, Ramanathapuram,
Kannakurichi,
Salem – 636 008.

... Appellant in both C.M.As

/versus/

N.Yugapriya, aged 34 years,
D/o.Narayanan,
Perumal Koil Street,
Kamalapuram Village,
Omalur Taluk, Salem District.

... Respondent in both C.M.As

Prayer in C.M.A.No.608 of 2017: Civil Miscellaneous Appeal is filed under Section 19 of Family Courts, Act, 1984, pleaded to allow the above Civil Miscellaneous Appeal and set aside the Fair Order and Decreetal Order dated 15.12.2016 passed by the Hon'ble Family Court, Salem in F.C.O.P.No.99 of 2012.

Prayer in C.M.A.No.609 of 2017: Civil Miscellaneous Appeal is filed under Section 19 of Family Courts, Act, 1984, pleaded to allow the above Civil Miscellaneous Appeal and set aside the Fair Order and Decreetal Order dated 15.12.2016 passed by the Hon'ble Family Court, Salem in F.C.O.P.No.53 of 2012.

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For Appellant : Mr.V.Dhanaplan,
in both CMAs for M/s.T.Fenn Walter Associates

For Respondent : Mr.M.Elango
in both CMAs

COMMON JUDGMENT

(Common Judgment of the Court was made by G.Jayachandran, J.)

C.M.A.No.608 of 2017 was preferred by the husband, being aggrieved by the dismissal of his divorce petition in the Family Court at Salem.

C.M.A.No.609 of 2017 was also preferred by the husband. In this case, the husband filed divorce petition and the wife filed petition for restitution of conjugal rights.

2. Pending both appeals, the parties have entertained into compromise through the intervention of the Mediation and Conciliation Centre.

3. As per the terms of the compromise, both parties have consented to dissolve their marriage solemnized on 02.09.2009. The petitioner/husband has agreed to pay a sum of Rs.35,00,000/- (Rupees Thirty Five Lakhs only) by way of permanent alimony in two instalments and the same has already been paid, together with 3¾ sovereign of Gold jewels to the respondent/wife. The



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petitioner and the respondent are parents of two male children. The elder son, namely Devadharshan is living with the appellant (husband) and young son, namely Unnikrishnan is living with the respondent (wife). The parties have decided to have respective custody of the children as it exists as on today and decision regarding custody of children is made once they attain majority.

4. Considering the aforementioned facts, C.M.A.Nos.608 of 2017 & 609 of 2017 are disposed of on the following terms: The marriage solemnized between the petitioner and the respondent on 02.09.2009, shall stand dissolved.

5. The relevant portion of terms of agreement is extracted below:-

"1. Both the parties agreed to settle the dispute by way of compromise on the following terms and conditions.

2. Both the parties agreed for consent for divorce and this C.M.A may be allowed on the terms of compromise.

3. The petitioner Dinesh has agreed to pay a sum of Rs.35,00,000/- (Rupees Thirty Five Lakh Only) towards full and final settlement including present and future maintenance for herself and their son. The



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respondent yugapriya hereby agreed to withdraw all the maintenance cases which was filed by her.

4. The petitioner hereby agreed to pay the settlement amount on 2nd installment, 1st installment of amount Rs.15,00,000/-(Rupees Fifteen Lakh Only) on or before 27th of August by the way of Demand Draft in favour of respondent and 2nd installment remaining amount of Rs.20,00,000/- (Rupees Twenty Lakh Only) on or before 12th September 2025 by the way of Demand Draft infavour of respondent.

5. The petitioner Dinesh has agreed to give 3¾ sovereign gold to the respondent apart from the above amount

6. The petitioner Dinesh has agreed to return back the following household articles and materials on belongings of the respondent yugapriya as found in annexure.

7. The petitioner and the respondent are having two male children. The elder son namely DevaDharshan is living with the petitioner and the younger son namely Unnikrishnan is living with the respondent separately for the past 13 years. Hence the same should not be disturb in the future by both the parties.

8. The petitioner and the respondent hereby agreed to abide by the children decision on attaining the age of Major.



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9. *The both parties are not have any right or claim against each others."*

6. In view of the above, the Civil Miscellaneous Appeals are disposed of in terms of the above agreement. The terms of the agreement shall form part of the decree. Consequently, connected Miscellaneous Petitions closed. There shall be no order as to costs.

[Dr.G.J., J.] & [M.J.R., J.]
19.09.2025

Index : Yes/No

Internet : Yes/No

bsm

Note: Registry is directed to refund the Court fees in accordance with law.

To,

The Judge, Family Court, Salem.



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Dr.G.JAYACHANDRAN, J.
and
M.JOTHIRAMAN, J.

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