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CRP(PD).No.1442 & 1451 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

CRP.(PD).Nos.1442 & 1451 of 2025

and

CMP.No.8510 & 8556 of 2025

Jayalakshmi

... Petitioner in both CRPs

Vs.

1.Saveetha

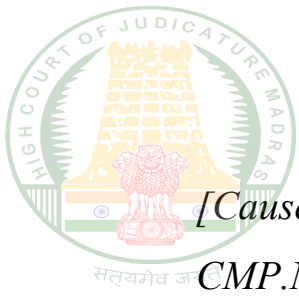
2.S.Prabhu

3.S.Selvamani

... Respondent in both CRPs

Prayer in CRP.No. 1442 of 2025:- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order dated 10.01.2025 made in CrI.MP.No.7232 of 2024 in DVC No.13 of 2024 on the file of Judicial Magistrate, Cheyyar, Tiruvannamalai District.

Prayer in CRP.No.1451 of 2025:- Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the order dated 10.01.2025 made in CrI.MP.No.7233 of 2024 in DVC No.13 of 2024 on the file of Judicial Magistrate, Cheyyar, Tiruvannamalai District.



*[Cause title accepted vide Court order dated 28.03.2025 made in
CMP.No.7930/2025 in CRP.Sr.No.49231/2025 by PTAJ]*

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For Petitioner : M/s.K.S.Karthik Raja, in both CRPs
For Respondent : M/s.Radhika Boopathi
Caveator counsel for R.1 in both CRPs
: M/s.M.Sasikumar Boopathi
for R.2 in both CRPs

COMMON ORDER

CRP.No.1422 of 2025 has been filed to set aside the order dated 10.01.2025 made in Crl.MP.No.7232 of 2024 in DVC No.13 of 2024 on the file of Judicial Magistrate, Cheyyar, Tiruvannamalai District.

2. **CRP.No.1451 of 2025** has been filed to set aside the order dated 10.01.2025 made in Crl.MP.No.7233 of 2024 in DVC No.13 of 2024 on the file of Judicial Magistrate, Cheyyar, Tiruvannamalai District.

3. The 1st and the 2nd respondent, husband and wife have entered into a memorandum of compromise dated 30.04.2025 and in

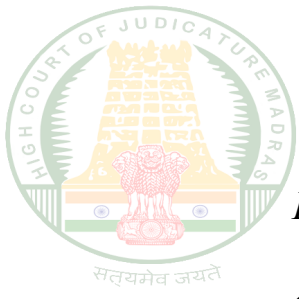


paragraph no.4 of the said memorandum of compromise, the terms of the compromise have been set out which reads as follows:-

"A. The 1st Party has agreed to pay Rs. 50,00,000/- (Rupees Fifty Lakhs Only) as one-time settlement of all monetary claims to the 2nd Party. The 2nd Party has accepted to receive the said sum of Rs.50,00,000/- as full and final quit towards all her monetary claims and the 2nd party undertakes not to make any further claims of alimony or maintenance in future.

B. The 1st Party shall, pay the said amount in 3 instalments and all the payments shall be made by Demand Drafts. The 1st Party undertakes to pay a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) on 30.04.2025 the date of signing this MOU.

C. After receipt of the 1st payment of Rs.15,00,000/- (Rupees Fifteen Lakhs Only) the 2nd



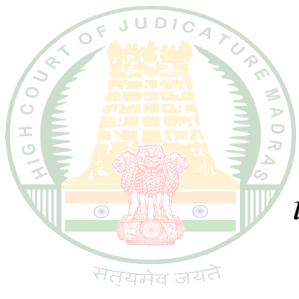
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Party shall withdraw DVC.No.13 of 2024 on the file of JM, Cheyyar scheduled for hearing on 05.05.2025 and all C.M.Ps in M.C.No.5 of 2014 filed by 2nd Party, which are pending on the file of Judicial Magistrate, Arani scheduled for hearing on 08.05.2025. The 1st Party shall withdraw H.M.O.P.No. 36 of 2022 filed by him for divorce and the 2nd Party shall withdraw the counterclaim in the HMOP.No 36 of 2022 which are pending on the file of the Sub Court, Cheyyar which is scheduled for hearing on 09.06.2025.

D. The 2nd Party agrees to say no objection to quash the FIR.No.13 of 2023 and the consequential charge sheet in C.C.No.60 of 2024 on the file of the Judicial Magistrate, Arani in the event of filing application for the same by the 1st Party. The 2nd Party shall withdraw the complaint addressed to the departmental authorities which had resulted in



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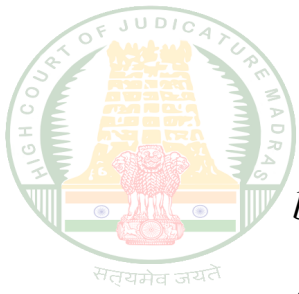


initiation of departmental proceedings under Rule-17(b) of Tamil Nadu Government Servants (Discipline & Appeal) Rules in ROC No.6914/2020/PA4 dated 29.08.2023 by addressing a letter of withdrawal of complaint to the District Collector, Tiruvannamalai and the 1st Party as well.

E. The 1st Party shall make the 2nd payment Rs. 15,00,000/- (Rupees Fifteen Lakhs Only) on 09.06.2025, which date is fixed for filing the Petition for Divorce by Mutual Consent U/s 13(B) of the Hindu Marriage Act, 1955 in the Sub Court, Cheyyar.

F. The Parties undertake to withdraw all proceedings initiated against each other.

G. On withdrawal of the matters referred to in clause C & D above, the 1st Party, at the time of adducing evidence in the 13(B) Petition shall pay the



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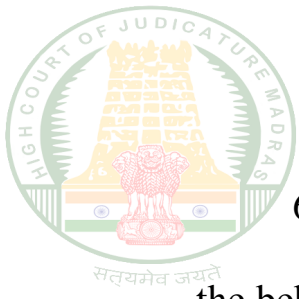


balance of Rs.20,00,000/- (Rupees Twenty Lakhs Only) to the 2nd Party.

H. Both the Parties have agreed to waive their right over maintenance in the past, present or future. The Parties undertake to be refrained from the life of each other and that they will not resort to any litigation against each other. The Parties declare that they are filing this memorandum of compromise on their free will and volition. There is no collusion, coercion, fraud or undue influence filing this memorandum of compromise."

4. The said memorandum of compromise dated 30.04.2025 is taken on file. Today, the parties are also present before this Court.

5. In view of the above, the Civil Revision Petitions are disposed of in terms of the memorandum of compromise. The terms of the memorandum of compromise shall form part of the order.



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6. Since the transfer to the Sub Court, Cheyyar has been done at the behest and the order of this Court, the learned Sub Judge, Cheyyar shall entertain the mutual consent petitioner that would be filed by the parties without returning it on the ground of jurisdiction.

7. In Clause D, the 1st respondent has undertaken to give a letter to the authorities for withdrawing her complaint which is the genesis for the proceedings under Rule -17(b) of the Tamil Nadu Government Servants (Discipline & Appeal) Rules. On receipt of such letter, the District Collector, Tiruvannamalai shall take necessary steps to close the proceedings. No costs. Consequently, the connected Miscellaneous Petitions are closed.

30.04.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

- 1.The Judicial Magistrate, Cheyyar, Tiruvannamalai District.
- 2.The Subordinate Judge, Cheyyar.
- 3.The Judicial Magistrate, Arani.
- 4.The District Collector, Tiruvannamalai.
- 5.The Section Officer, VR Section, High Court, Madras.



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