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C.M.A No. 872 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR JUSTICE SATHI KUMAR SUKUMARA KURUP

C.M.A No. 872 of 2025

V.Kamaraj
S/o Vellingiri, Dolar Tailor, C-66A,
Vidhayasagar Street, RTO Office
Opposite, Gandhi Nagar, Udumalpet- 642
154.

... Appellant

Vs

M.Revathi
S/o. Murugasamy, No.18/1, Puthu Iteri Street,
Ondipudur, Coimbatore- 641016

... Respondent

PRAYER :

Civil Miscellaneous Appeal under Section 19 of the Family Courts Act, 1984 to set aside the judgement and decree in HMOP.No.1353/2018 dated on 19-10-2023 passed by the Leared Principal Family Court, Coimbatore.

For Appellant : B.Sundarapandiyan

For Respondent : Mr.Kandhan Duraisami



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JUDGMENT

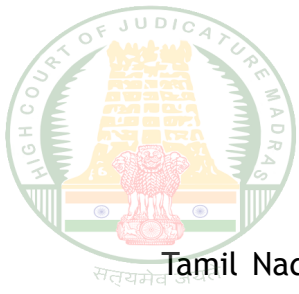
WEB COPY (Judgment of the Court was delivered by R.Suresh Kumar J.)

This Civil Miscellaneous Appeal has been directed against the order passed by the Principal Family Court, Coimbatore in H.M.O.P.No.1353 of 2018 dated 19.10.2023.

2. Before the Family Court, the wife preferred the H.M.O.P., seeking divorce under Section 13(1)(a) of the Hindu Marriage Act for the dissolution of his marriage solemnized with the respondent on 04.09.2017. In the same Court, the wife filed M.C.No.181 of 2019 under Section 121(1)(a) of Cr.P.C., seeking maintenance of Rs.25,000/- per month.

3. The Family Court, by conducting a joint trial of both the cases ultimately passed a final order on 19.10.2023, whereby the H.M.O.P was allowed and M.C.No.181 of 2019 was allowed by directing the husband to pay a sum of Rs.7,000/- per month as maintenance from the date of petition till the date of the order and Rs.10,000/- per month from the date of the order.

4. Aggrieved over the order passed in HMOP No.1353 of 2018, the present appeal has been filed. Simultaneously, the husband also filed Crl.R.C.No.432 of 2024 against the order passed in M.C.No.181 of 2019. In the said Crl.R.C.No.432 of 2024, a reference had been made by this Court for amicable settlement to the



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Tamil Nadu Mediation and Conciliation Centre attached to this Court. Before the Mediation Centre, settlement was reached between the parties on 15.11.2024, which has been reduced into writing. Based on the settlement between the parties, Crl.R.C.No.432 of 2024 was disposed of on 25.03.2025.

5. These factors have been brought to our notice by the learned counsel for both sides. Both the parties viz., the appellant-husband and respondent-wife are present before this Court today. They have filed a joint memo of compromise dated 08.04.2025, where, both the parties as well as the respective counsel have signed. Inter-alia in the said joint memo of compromise, the following has been stated:

“ 4. It is respectfully submitted that this Hon'ble Court referred the Crl.R.C.No.432 of 2024 to the Tamil Nadu Mediation and Conciliation Centre for amicable settlement. By settlement dated 15.11.2024, both parties have arrived the following statement:-

a. Both the parties mutually agree to abide by the grant of Decree of Divorce in HMOP No.1353 of 2019 by Principal Family Court, Coimbatore. However both the parties agree that hereby withdraw the allegation made by each other.



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b.Both the parties agree that not to claim any maintenance / compensation from each other in past, present or in future.

c.The parties will be present before the Hon'ble High Court to sign and record the Compromise.

5. It is respectfully submitted that recording the above settlement, this Hon'ble Court by order dated 25.03.2025 and made in Crl.R.C.No.432 of 2024, this Hon'ble Court was pleased to dispose the Crl.R.C.No.432 of 2024 in terms of the above agreement.

6. Under these circumstances, it is humbly prayed that this Hon'ble Court may be pleased to record the above settlement arrived at by both the parties and confirm the decree of divorce passed in HMOP No.1353 of 2018, dated 19.10.2023 on the file of the Principal Family Court, Coimbatore in terms of the above settlement.”

6. Relying upon this joint memo of compromise, learned counsel appearing on both sides would submit that, recording this joint memo of compromise this Civil Miscellaneous Appeal can be disposed of in the terms indicated in the memo. We have asked both the parties present before us. They also agreed to the terms of joint compromise memo dated 08.04.2025.



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7. In view of the said joint memo of compromise dated 08.04.2025, where the parties viz., the appellant and respondent have agreed with the settlement in the terms indicated therein, this Civil Miscellaneous Appeal is disposed of by confirming the decree of divorce granted by the learned Principal Family Court, Coimbatore dated 19.10.2023, however, strictly in terms of the compromise reached between the parties. The said joint memo of compromise shall form part of this order.

8. In result, the Civil Miscellaneous Appeal is disposed of in terms of the joint memo of compromise dated 08.04.2025. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (S.S.K.,J.)
08-04-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
KST

To

The Principal Family Court
Coimbatore.



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**R.SURESH KUMAR J.
AND
SATHI KUMAR SUKUMARA KURUP,J.**

KST

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