WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRP No.2244 of 2023
and
CMP Nos.13620 of 2023

1. Khalid Basha
2. Abdul Qudus
3. Mumtaz Begum
4.Samdanee
5.Dastagir
6.Yasmin Beguam — Petitioner(s)

Vs

Dilshad Begum

Respondent(s)

PRAYER :

To set aside the judgment dated 30.01.2020 made in C.A.No.25 of 2019 on the file of the learned Principal Sessions Judge, City Civil Court at Chennai, confirming the order dated 28.06.2018 made in D.V.C.No.36 of 2016 on the file of the Additional Mahila Court, Egmore (Allikulam Campus, Chennai).

For Petitioner(s): Mr. D. Selvaraju

For Respondent(s): M/s. K. Zeenath Shariffa
for Mr. A. Syed Kaleesha.

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

This Civil Revision Petition has been filed seeking to set aside the judgment dated 30.01.2020 made in C.A.No.25 of 2019 on the file of the learned Principal Sessions Judge, City Civil Court at Chennai, confirming the order dated 28.06.2018 made in D.V.C.No.36 of 2016 on the file of the Additional Mahila Court, Egmore (Allikulam Campus, Chennai).

2. Today, when the matter was taken up for hearing as directed by this Court, all the parties appeared before this Court.

3. Learned counsel for the petitioner submits that this matter is pertaining to a matrimonial dispute and that the first respondent/wife and the first petitioner have arrived at a settlement between them, to which they have also entered into a Joint Memo of Compromise dated 23.04.2025 and the same was filed before this Court.

4. The said Joint Memo of Compromise dated 23.04.2025 is taken on record, and the same is extracted hereunder:-

https://www.mhc.tn.gov.in/judis

WEB COPY

IN THE HIGH COURT OF JUDICTURE AT MADRAS
(Appellate Jurisdiction)

C.R.P. No. 2244 of 2023

1. Khalid Basha,
   S/o. Abdul Qudus

2. Abdul Qudus,
   S/o. GhouseBasha

3. Mumtaz Begum,
   W/o. Abdul Quduz

4. Samdanee,
   W/o. Dastagir

5. Dastagir,
   S/o. Md. Yusuf,

6. Yasmin Begum,
   W/o. Yahiya Basha

All are residing at
No. 14/6, Mudaliar First Street,
Nehru Nagar, Velacherry,
Chennai – 600 042.

... Petitioners

Vs.

Dilshad Begum,
W/o. Khalid Basha,
C/o. A. Shalith Basha,
No. 27/20, Jafferkhan Street,
Pulianthope,
Chennai – 600 011.

... Respondent

JOINT MEMO OF COMPROMISE

1. It is submitted that the respondent herein has filed petition in D.V.C.No.36 of 2016 on the file of Addl. Mahila Court at Allikulam (Chennai), seeking compensation under Section 12 of Protection of Women from Domestic Violence Act, 2005 against the petitioners herein. The 1st petitioner is the husband, the petitioners 2 to 6 are his

Khalid Basha

Dilshad Begum.

https://www.mhc.tn.gov.in/judis

WEB COPY

Women from Domestic Violence Act, 2005 against the petitioners herein. The 1st petitioner is the husband, the petitioners 2 to 6 are his family members. Wherein the Addl. Mahila Court had passed an order dated 28.06.2018, directing the 1st petitioner pay Rs.4,00,000/- as compensation and directed the petitioners 1 to 6 to pay Rs.1,00,000/- jointly or severally. Challenging that the petitioners filed Appeal in C.A. No. 25 of 2019, the said appeal was dismissed confirming the order of the Addl. Mahila Court by order dated 30.01.2020, against which the present revision was filed before this Hon'ble Court.

2. It is submitted that due to emotional outburst that both the parties have levied allegations on each other at III Addl. Family Court, Chennai in O.S. No.383 of 2023, XVII MM Saidapet Court in CC.No.1379 of 2024, Addl Mahila Court, Egmore in Crl. Mp. No.3255 of 2018. Both the parties i.e., the 1st petitioner and the respondent have realized and decided that having already parted the way and got separated, instead of pursuing the litigations they want to give quietus to the litigations by consciences, hence they have arrived a compromise on their own will and occurred without any compulsion now as follows:-

a. Whereas the respondent herein has agreed to allow the above C.R.P. and to set aside the order passed by the Addl. Mahila Court in D.V.C. No. 36 of 2016 dated 28.06.2018 which was confirmed by the Principal Sessions Judge, Chennai in C.A. No. 25 of 2019 by order dated 30.01.2020 and agreed that all the parties will not have any sort of claim againsteach other in any manner on the basis of the above order of the Addl. Mahila Court and the 1st Petitioner and Respondent will not raise any further claim against each other.

b. The 1st Petitioner and the Respondent have agreed to withdraw the allegations levied against each other at III Addl. Family Court, Chennai in O.S. No.383 of 2023, XVII MM Saidapet Court in CC.No.1379 of 2024, Addl. Mahila Court, Egmore in Crl. Mp.

Khalid Basha Dilshad Begum

https://www.mhc.tn.gov.in/judis

WEB COPY

the pending cases mentioned above against each other before various courts of Law to put an end to this ugly gamut of affairs and both have agreed that they shallcooperate with each other in a proper manner.

c. Further both the 1st Petitioner and Respondent do hereby, declare and inform that there is no outstandingor paybacks or any legal claims against each other and even if they claimso it is not valid as per law and they assure the same by signing hereunder in the presence of their counsels as witnesses.

d. Accordingly, the 1st Petitioner and the Respondent have signed this Memorandum of Compromise with fullconsent and without any compulsion and coercion and they do hereby agree andinform each other that they are relieved from the matrimonialrelationship as husband and wife and both of them do not have anyobjection against each other for initiating a new life individually as per their own will.

Therefore, it is humbly prayed that this Hon'ble Court may be pleased to accept and record the above Joint Memo of Compromise, and to allow the above C.R.P. No. 2244 of 2023 by setting aside the order passed by the Addl. Mahila Court in D.V.C.No.36 of 2016 dated 28.06.2018 which was confirmed by the Principal Sessions Judge, Chennai in C.A. No. 25 of 2019 by order dated 30.01.2020 and thus render justice.

Dated at Chennai on this the 23rd day of April, 2025

1ST PETITIONER **COUNSEL FOR PETITIONERS**

RESPONDENT **COUNSEL FOR RESPONDENT**

https://www.mhc.tn.gov.in/judis

WEB COPY

5. In view of the Joint Memo of Compromise dated 23.04.2025, the Civil Revision Petition stands disposed of. The Joint compromise memo shall form part of the order of this Court. There shall be no order as to costs. Consequently, the connected miscellaneous petition is also closed.

23.04.2025

klt

To

1. The learned Principal Sessions Judge, City Civil Court, Chennai.
2. The Additional Mahila Court, Egmore (Allikulam Campus, Chennai).

WEB COPY

A.D.JAGADISH CHANDIRA J.

klt

CRP No.2244 of 2023
and
CMP No.13620 of 2023

23.04.2025

https://www.mhc.tn.gov.in/judis