



C.R.P.Nos.2939 of 2024 & 1311 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

C.R.P.Nos. 2939 of 2024 & 1311 of 2025

and

C.M.P.Nos.15726 of 2024 & 7796 of 2025

Moshin Khan

... Petitioner in both petitions

Vs

1.K.Sharmila Banu

2.Minor. Amirah Gulshan

3.Minor. Amid Muhammad

(Petitioners 2 and 3 represented by their mother and natural guardian
Mrs.K.Sharmila Banu)

4.Gulafar Begum

5.Parveen Begum

... Respondents in both petitions



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CRP.No.2939 of 2024 filed under Article 227 of the Constitution of India, against the order dated 01.11.2023, in Crl.A.No.17 of 2022 on the file of V Additional Sessions Judge at Chennai, in dismissing the appeal against the order in DVC.No.364 of 2017, dated 14.09.2021 on the file of the Metropolitan Magistrate / Additional Mahila Court, Egmore, Chennai.

CRP.No.1311 of 2025 filed under Article 227 of the Constitution of India, against the order dated 01.11.2023, in Crl.A.No.174 of 2021 on the file of V Additional Sessions Judge at Chennai, in partly allowing against the order in DVC.No.364 of 2017, dated 14.09.2021 on the file of the Metropolitan Magistrate / Additional Mahila Court, Egmore, Chennai.

For Petitioner : Mr. M.A.Sahul Hameed
(In both petitions)

For Respondents: Mr. G.R.Hari
1 to 3
(In both petitions)

For Respondents: No Appearance
4 & 5
(In both petitions)



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ORDER

These civil revision petitions have been filed against the order dated 01.11.2023, in Crl.A.No.17 of 2022 and Crl.A.No.174 of 2021, respectively, on the file of the V Additional Sessions Court, Chennai.

2. This Court by order dated 08.04.2025, finding that there is a possibility of settlement between the parties, had referred the matter for mediation and appointed Mr. M.K.Kabir, Senior Counsel as a Mediator.

3. Pursuant to the same, the parties have arrived at a settlement and entered into a full and final settlement agreement before the Mediation Centre. The full and final settlement agreement, dated 17.09.2025, entered into between the parties is read as under:



FULL AND FINAL SETTLEMENT AGREEMENT

This FULL AND FINAL SETTLEMENT AGREEMENT entered into on 17.09.2025 between Mr. MOSHIN KHAN, Son of A.M. Mirza Gulam, Muslim, aged about 43 years and residing at No. 3/2, Lal Mohamed Cross lane, Ovtum Street, Sabar Residency, Chennai – 600 005, herein after called the First party.

And

Mrs. SHARMILA BANU, Wife of Moshin Khan, Muslim, aged about 38 years, residing at No. 38, Apayou Gramani Street, Ellis Road, Chennai – 600 002, herein after called the Second party.

WHEREAS

1. Disputes and differences had arisen between the parties due to personal issues involving their marriage and the same are stated in the CRP (NPD) No. 2939 of 2024 & CRP (NPD) No. 1311 of 2025 which were filed before the Hon'ble High Court at Chennai.
2. The matter was referred to mediation/conciliation vide an order dated 30.07.2025 passed by this Hon'ble Mr. Justice, N. Sathish Kumar.
3. The learned Senior Counsel Mr. M.K. Kabir was appointed by the Hon'ble High Court to act as the Mediator between the parties. Both the parties have accepted the appointment order of the Hon'ble High Court.
4. Several meetings were held during the process of Mediation/conciliation from 11.08.2025 to 17.09.2025. With the assistance of the Mediator/Conciliator, the parties have voluntarily arrived at an amicable solution resolving the above-mentioned disputes and differences.
5. The Parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.





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6. The Following settlement has been arrived at between the parties hereto:

A. That the first party deposited a sum of Rs.25,35,000/- (Rupees Twenty-Five Lakhs Thirty-Five Thousand Only) in CC. No. 1757 of 2018, on the file of the Chief Metropolitan Magistrate Court, Egmore, dated 11.06.2024, vide receipts Nos.05831, B.No.1091725 & B. No. 1091726. As per the Hon'ble High Court's order dated 30.07.2025 in CRP (NPD) No. 2939 of 2024 & CRP (NPD) No. 1311 of 2025, the First Party also deposited the sum of Rs. 20,00,000/- (Rupees Twenty Lakhs Only) on 11.08.2025, vide receipt No. 07514 in DVC No. 364 of 2017, before the Additional Mahila Court, Egmore. The second party shall withdraw the above said amount sum of Rs. 45,35,000/- (Rupees Fourty Five Lakhs Thirty-Five Thousand Only). The First Party has no objection to the withdrawal of both the deposited amounts as per this full and final settlement agreement. The First Party has also paid a sum of Rs. 11,03,000/- (Rupees Eleven Lakhs Three Thousand Only) by virtue of court orders and that amount is already accounted and received. The full and final settlement amount of Rs. 1,65,35,000/- (Rupees One Crore Sixty-Five Lakhs and Thirty-Five Thousand Only) to be paid as per the below mentioned terms shall be full and final settlement forwards the maintenance fair and reasonable provision towards the sustenance, future maintenance and permanent alimony of the second party and two children, namely, 1. Minor M. Amirah Gulshan, and 2. Minor M. Amid Muhammad.

B. That as per the terms of this settlement agreement, the First Party shall pay the balance amount of Rs. 1,20,00,000/- (Rupees One Crore Twenty Lakhs



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Only) within three months from date of this settlement agreement dated 17.09.2025, i.e., on or before 17.12.2025, failing which the settlement agreement will be terminated.

C. That as per this agreement, the Second Party undertakes to withdraw all the pending cases against the First Party, as stated below, upon receipt of the full amount of Rs. 1,65,35,000/- (Rupees One Crore Sixty-Five Lakhs and Thirty-Five Thousand Only) as agreed by the First Party. The pending cases are as follows:

- 1) CrI. M.P. No. 319 of 2024, pending before the Addl. Mahila Court, Egmore.
- 2) CrI. A. No. 482 of 2024, pending before the Hon'ble XVIII Addl. District and Sessions Court, Chennai.
- 3) CrI. M.P. No. 839 & 840 of 2023 in M.C No. 154 of 2017, pending before the Hon'ble VI Addl. Family Court, Chennai.
- 4) Crime No. 310 of 2019, pending before the Inspector of Police, D1, Triplicane Police Station, Chennai.

D. That after complying with all the conditions of this Settlement Agreement, both parties agreed to file mutual consent in O.S. No. 321 of 2023, pending before the Hon'ble Principal Family Court, Chennai.

7. That the parties of both the parts herein mutually agreed that they will not take any action against each other through Family Court or Criminal Court or before any other authority for some reason or other in connection with the aforesaid criminal case or anything connected to this matrimonial life.

8. By signing this Agreement, the Parties hereto state that they have no further claims or demands against each other with respect to CRP (NPD) No. 2939 of 2024 & CRP (NPD) No. 1311 of 2025 and above-mentioned cases, and all



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disputes and differences in this regard has been amicably settled by the Parties
herein through the process of Conciliation / Mediation.

DATE: 17.09.2025

PARTIES' SIGNATURE :

(Petitioner)

(Respondent)

COUNSEL'S SIGNATURE :

(Petitioner)

(Respondent)


17.09.2025
MEDIATOR.





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4. In view of the settlement arrived at between the parties, these civil revision petitions shall stand disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

5. The full and final settlement agreement dated 17.09.2025, filed by the parties shall form part of the Court records.

27.10.2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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1.The V Additional Sessions Judge,
Chennai.

2.The Metropolitan Magistrate /
Additional Mahila Court,
Egmore,
Chennai.



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A.D.JAGADISH CHANDIRA, J.

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