



C.M.S.A.No.70 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM:

THE HONOURABLE **Mrs. JUSTICE R.KALAIMATHI**

**C.M.S.A.No.70 of 2021**

**and C.M.P.No.15909 of 2021**

K.Vasantharaj

... Appellant

vs.

R.Lavanya

... Respondent

**PRAYER:** Civil Miscellaneous Second Appeal is filed under Section 28 of Hindu Marriage Act, read with Section 100 of Civil Procedure Code, 1908, to set aside the judgment and decree dated 19.02.2021 passed in C.M.A.No.7 of 2020 by the learned Principal District Judge, Villupuram, which confirmed the judgment and decree of restitution dated 21.02.2020 passed in H.M.OP.No.92 of 2018 for restitution of conjugal rights on the file of Subordinate Court, Gingee and allow this Civil Miscellaneous Second Appeal with costs throughout.

For Appellant : Mr.R.Rajavelavan

For Respondent : Mr.S.Udaya kumar

### **JUDGMENT**

Heard the learned counsels for the appellant and the respondent.

2.A Joint Compromise Memo dated 24.11.2025 stating that the



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matter has been settled between the parties and the appellant / husband has paid a sum of Rs.15,00,000/- by way of Demand Draft dated 20.11.2025 bearing No.499324 on Indian Bank, Tindivanam, to the respondent / wife.

3.It is mutually agreed that the Civil Miscellaneous Appeal may be disposed of in terms of the joint memorandum of compromise and that the marriage dated 29.06.2015 performed between the parties may be dissolved.

4.Appellant, Mr.K.Vasantharaj and the respondent, Mrs.R.Lavanya, are present before this Court

5.The Joint Memo of Compromise dated 24.11.2025 is taken on record and the essential details are extracted as follows:

- 1) *The Appellant / Husband pays a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) by way of Demand Draft dated 20.11.2025 bearing Registration No.499324 drawn on Indian Bank, Tindivanam to the Respondent/Wife as full and final maintenance towards her and minor son Tanuj Krishna born of the marriage.*
- 2) *In Addition, the Appellant/Husband agrees that the Respondent/Wife shall retain all gold jewels*



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*weighing 11.5 sovereigns presented to her by the Appellant at the time of marriage, with no future claims or demands in respect thereof. The Appellant/Husband surrenders all the gold jewels enlisted already, to the Respondent/Wife before the Hon'ble Court on 24.11.2025.*

- 3) In consideration of the above and in view of irretrievable breakdown of marriage, the respondent/wife agrees to give consent for the grant of a decree of divorce by Mutual Consent and agrees to withdraw the Complaint under the Protection of Women from Domestic Violence Act in DVC Case No.10 of 2017 pending before the Judicial Magistrate Court No.1 at Tindivanam and to cooperate for its Dismissal.*
- 4) The Appellant/Husband gives up visitation rights and consents for the Respondent/Wife to have permanent custody of minor son Tanuj Krishna. The parties agree that the custody and maintenance of the minor son as agreed herein are in the best interests of the child and the parties undertake to abide by the Hon'ble Court's approval in this regard.*
- 5) The respondent further agrees that she will not claim any right over the property of the Appellant herein for herself or for her minor son Master Tanuj Krishna, either directly or indirectly. Both parties mutually declare and state that they will not interfere in one's life of another at any point of time.*
- 6) The parties further agrees that this Compromise*



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*Memo constitutes a full and final settlement, which the parties undertake to implement in letter and spirit, without further claims, disputes or interference in future.”*

6.Recording the above stated terms of Joint Compromise Memo, the judgment and decree dated 19.02.2021 made in C.M.A.No.7 of 2020 on the file of the Principal District Court, Villupuram is hereby set aside and the marriage solemnized between the appellant and the respondent at Rajitham Thirumana Mahal, Tindivanam on 29.06.2015 is dissolved and a decree of divorce is granted on the ground of mutual consent. Accordingly, this Civil Miscellaneous Second Appeal stands disposed of in terms of the joint memorandum of compromise dated 24.11.2025 and the joint compromise memo forms part of the decree. There is no order as to costs. Consequently,connected miscellaneous petition is closed.

**24.11.2025**

**(2/2)**

Index : Yes/No  
Speaking / Non-speaking order  
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**R. KALAIMATHI, J.**

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**To:**

1. The Principal District Court, Villupuram.
2. The Subordinate Court, Gingee

**C.M.S.A.No.70 of 2021**  
**and C.M.P.No.15909 of 2021**

24.11.2025  
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