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C.M.A.Nos.4257 & 4258 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.03.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU
and
THE HONOURABLE MRS. JUSTICE R.KALAIMATHI

C.M.A.Nos.4257 & 4258 of 2019
and C.M.P.Nos.24100 & 24097 of 2019

D.Vinoth Kumar ... Appellant in both appeals

Vs.

V.Padmashree ... Respondent in both appeals

COMMON PRAYER: Civil Miscellaneous Appeals filed under Section 19 of Family Courts Act, 1984, against the common, fair and decretal order dated 29.08.2019 in O.P.Nos.2124 & 1817 of 2013 passed by Principal Family Court Judge, Chennai.

In both appeals:

For Appellant : Mr.H.Rajasekar

For Respondent : Mr.M.Aswin



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COMMON JUDGMENT

(Judgment of the Court was delivered by J. Nisha Banu, J.)

Civil Miscellaneous Appeals have been filed against the common, fair and decretal order, dated 29.08.2019 made in O.P.Nos.2124 & 1817 of 2013 passed by the learned Principal Family Court Judge, Chennai.

2. By consent of both the parties, this Court, by order dated 19.08.2024, had referred the matter to the Tamil Nadu Mediation and Conciliation Centre, High Court of Madras, for amicable settlement.

3. Pursuant to the negotiations, the parties arrived at mutual agreeable settlement and a report was sent by the Tamil Nadu Mediation and Conciliation Centre in Mediation Case No.671/2024 dated 27.11.2024, attaching a Settlement Agreement, dated 26.11.2024. The following settlements have been arrived at between the parties:-

"SETTLEMENT AGREEMENT

.....

(f) Mr.D. Vinodh Kumar agreed to settle the issue by giving one time settlement and Mrs. V.Padmastree also agree to receive the



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Permenant alimony for above mentioned cases from Mr. D. Vinod Kumar. The one time settlement is valued in terms of money to the tune of Rs.22,00,000/-(Twenty two Lakhs only) which is payable infavour of Minor Daughter Rithika.

(g) Further, the wife Mrs. V. Padmashree will not make any further claim or future claim towards the Maintenance. as Mrs. V.Padmashree agrees the entire one time settlement amount of Rs.22,00,000/- towards full and final settlement which is payable in favour of Minor Daughter Rithika.

(h) Both the parties agrees to settle the entire amount in three installments and out of which 1st installment will be handed over by Mr.D.Vinoth Kumar by way of a Demand Draft No:210378 dated 26/11/24 drawn at SBI, Broadway for a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) which is drawn infavour of Minor Daughter Rithika.

(i) The 2nd installment amount for Sum of Rs.8,00,000/-(Rupees Eight lakhs only) to be paid on or before 10/12/2024 and 3rd installment/final settlement amount Sum of Rs.7,00,000/- (Rupees, Seven lakhs only) 20/12/24.

(j) Both the parties agrees to keep the CMA pending till the entire amounts been settled and after that both the parties agrees for grant of mutual Divorce either by order of court in C.M.A or by filing the petition for mutual divorce in Family court.

(k) Mrs. V.Padmaspree assures that she will not make any further or future claims and she accepts the amour paid to her daughter is one time settlement/ full an final settlement. ”

4. Today when the matter is taken up for hearing, both the learned



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counsel appearing for the appellant as well as the respondent, have appeared before this Court and affirmed that they have settled their dispute before the Mediation Centre and the appellant/ husband has paid the entire amount towards full and final settlement to the respondent/wife vide three Demand Drafts viz. No.210378 dated 26/11/2024 for a sum of Rs.7,00,000/-; No.210398 dated 10/12/2014 for a sum of Rs.8,00,000/- and No.210048 dated 21/01/2025 for a sum of Rs.7,00,000/-, totalling a sum of Rs.22,00,000/- (Rupees Twenty Two Lakhs only) as agreed in the Settlement Agreement entered between the parties.

5. Recording the Settlement Agreement entered between the parties before the Mediation Centre, dated 27.11.2024, this Civil Miscellaneous Appeal stands Allowed. The Settlement Agreement shall form part of this judgment. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

(J.N.B, J.) (R.K.M., J.)
10.03.2025

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To:

The Principal Family Court Judge,
Chennai.



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J. NISHA BANU, J.
and
R.KALAIMATHI, J.

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Common Judgment made in
C.M.A.Nos.4257 & 4258 of 2019

Dated:
10.03.2025