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C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2025

CORAM
THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

C.M.A.No.1778 of 2024
& C.M.P.No.13867 of 2024
and
C.R.P.No.679 of 2024

C.M.A.No.1778 of 2024

K.Ramya
D/o N.P.Kalyanaraman

..Appellant

Vs.

V.Venkatesh
S/o R.Viswanathan

..Respondent

Prayer: Civil Miscellaneous Appeal filed under section 19 of Family Courts Act to set aside the order and decretal order passed in I.A.No.10/2023 in O.P.No.3344/2019 dated 12.04.2023 on the file of IV Additional Principal family Court at Chennai

For Appellant : Mr.Mr.N.L.Rajah,
Senior Counsel
for Mr.M.R.Jothimanian

For Respondent : Mr.G.Rajagopalan,
Senior Counsel
for Mrs.Geetha Ramaseshan



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

WEB COPY **C.R.P.No.679 of 2024**

K.Ramya
D/o N.P.Kalyanaraman

..Petitioner

Vs.

V.Venkatesh
S/o R.Viswanathan

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order and decretal order passed in I.A.No.15/2023 in O.P.No.3344/2019 dated 12.04.2023 on the file of IV Additional Principal Family Court at Chennai.

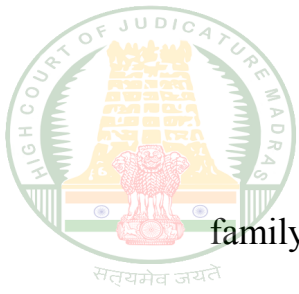
For Appellant : Mr.Mr.N.L.Rajah,
Senior Counsel
for Mr.M.R.Jothimanian

For Respondent : Mr.G.Rajagopalan,
Senior Counsel
for Mrs.Geetha Ramaseshan

COMMON JUDGMENT

(The judgment of the Court was made by J.Nisha Banu,J.)

The Civil Miscellaneous Appeal has been filed by the appellant/
wife to set aside the order and decretal order passed in I.A.No.10/2023 in
O.P.No.3344/2019 dated 12.04.2023 on the file of IV Additional Principal



*C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024*

family Court at Chennai, in which, in the petition filed by the husband/respondent herein, the wife/appellant herein was restrained from obtaining transfer Certificate of the minor child Uthkarsh from the school authority.

2. The Civil Revision Petition has been filed to set aside the order and decretal order passed in I.A.No.15/2023 in O.P.No.3344/2019 dated 12.04.2023 on the file of IV Additional Principal Family Court at Chennai, by which, the petition filed by the wife/appellant herein seeking to permit her to take the child Uthkarsh to Hyderabad and to permit the child to admit in III Standard in Arbor International School, Rajarajeswari nagar, Kondapur, Hyderabad 500 084, State of Telangana, was dismissed.

3. Today, when the matter is taken up for hearing, learned counsel for the appellant and the respondent would state that pending the appeal and the civil revision petition, the appellant and the respondent settled the issue among themselves and they have filed a Joint Memo of Compromise dated 21.08.2025 duly signed by the parties and their respective counsel. Learned counsel appearing on either side would also state that the Civil Miscellaneous Appeal may be disposed of in terms of



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

Joint Memo of Compromise and that the marriage dated 24.02.2014

WEB COPY

performed between the parties may be dissolved.

4. Learned counsel for the appellant would further state that the appellant is ready to give custody of her son V.Uthkarsh, aged 10 years, to the custody of the respondent today itself. The said statement is recorded.

5. The Joint Memo of Compromise filed by the Appellant and the Respondent dated 21.08.2025 is extracted hereunder:

The Appellant and Respondent submit as follows:

1. The appellant has filed the above C.R.P. under Article 227 of the Constitution of India against the Order dated 12.04.2023 passed I.A.No.15 of 2023 in O.P.No.3344 of 2019 by the IV Additional Family Court, Chennai.

2. The appellant has also filed the above C.M.A. against the order dated 12.04.2023 passed in I.A.No.10 of 2023 in O.P.No.3344 of 2019 by the IV Additional Family Court, Chennai.

3. The Appellant and the Respondent submits that O.P.No.3344 of 2019 has been filed by the respondent father seeking custody of the minor child V.Uthkarsh, born on 15.08.2015, currently, aged 10 years.

4. The marriage between the Appellant and Respondent



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

was held on 24.02.2014 at Sri Raghavendra Kalyana Mandapam, Kodambakkam, Chennai - 600 024 solemnized according to Hindu Rites and Customs and registered on 20.03.2014 before the Sub Registrar Kodambakkam as S.No.192 of 2014. Out of this wedlock, the Appellant and Respondent have one son, namely, V.Uthkarsh, born on 15.08.2015, currently aged 10 years. The minor child is studying in class V in Vidya Mandir School, Chennai - 600 004.

5. The Appellant wife had filed O.P.93/2017 seeking divorce on the grounds of cruelty, before the IV Additional Family Court. Subsequently, the Respondent husband herein filed O.P.3344/2019 seeking for custody of the minor child and O.P.4633/2019 seeking for restitution of conjugal rights respectively. On 18.08.2025 the IV Additional Family Court has dismissed O.P.93 of 2017 filed by the Appellant seeking divorce and allowed O.P. 4633 of 2019 filed by the Respondent seeking restitution of conjugal rights.

6. During pendency of the above C.M.A and C.R.P before this Hon'ble Court, the Appellant and Respondent have voluntarily, amicably resolved to settle all their disputes and differences on the following terms and conditions:-

a. The Appellant and Respondent agree to dissolve their marriage, which has been held on 24.02.2014 by mutual consent.



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

b. The Appellant and Respondent agree that keeping in mind the best interest and welfare of the minor child, and in order to avoid any future difficulties, the Respondent/Father shall have the permanent custody of the minor child.

c. The Appellant and Respondent agree that the Respondent will take care of the child's maintenance and all his expenses and will decide on all matters pertaining to him.

d. The Appellant wife currently resides in Hyderabad, and the Respondent husband and minor child will reside in Chennai. The Appellant and Respondent agree that she can have the company of the minor child when she is in Chennai. Whenever the appellant visits Chennai for a weekend she can have the child overnight from 10 AM on Saturday to 5 PM on Sunday. The appellant can inform the Respondent atleast two days prior to her visit in order for the respondent to make arrangements for the child for the visit. After that, The Appellant can pick up the child from the Respondent's residence on Saturday at 10 AM and he respondent will pick up the child on Sunday 5 PM from the Appellant's



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

residence.

e. The Respondent agrees that the Appellant wife will take custody of the minor child during half of the summer vacation, half of the Pooja holidays and half of the Christmas holiday. The Appellant and Respondent will alternate having the custody of the child during the first and second half of the above mentioned holidays. The child can stay with the Appellant at Hyderabad or any other place during the course of his holiday with the mother. The Appellant has to pick up the child and drop the child back here in Chennai at the respondent's residence.

f. The Appellant and respondent agree to share the custody of the child for celebrating Diwali, his English Birthdays and star birthdays in Chennai. The Appellant and Respondent can have custody of the minor child for these days holidays every alternate year.

g. The appellant and the respondent agree that the appellant will be at liberty to have video calls with her minor son on all days between 8.30 PM and 9.30 PM and whenever he wants to talk to her.



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

- h. The Appellant will hand over all records relating to the child including medical records, school records and original Aadhar card to the Respondent.*
- i. The Appellant and Respondent agree to communicate with each other with regards to education, health and other incidental matters pertaining to the minor child.*
- j. The Appellant gives up all claims of maintenance for past, present and future from the Respondent, both civil and criminal and undertakes not to make any further claims towards maintenance or alimony.*
- k. The Appellant and Respondent have agreed not to contact each other's families directly or indirectly through social media or any other means and agree not to damage each other's reputation in any future point of time after the dissolution of marriage in order to respect and protect their privacy on issues pertaining to their marriage and minor child.*
- l. The Appellant and Respondent have agreed mutually that none of the documents, photos, videos relating to the parties shall be misused against each other*



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

in future.

m. The Appellant and the Respondent undertake that henceforth, they would not interfere in the life of each other by any means and further undertake that henceforth they shall not file any proceedings, civil and /or criminal or case against each other and/or against the family members, relatives of either party; and the parties undertake to abide by the terms of this Joint Memo of compromise.

7. The Appellant and the Respondent agree that they shall abide by all the terms and conditions set out in the present Joint Memo of Compromise, which have been arrived at without any coercion, duress or collusion and undertake not to raise any dispute whatsoever hence forth.

8. The parties hereto state that they have no further claims or demands against each other and all disputes and differences in this regard have been amicably settled by parties hereto.

9. In case, any of the parties will not obey or violate the aforesaid compromise clauses, the parties shall have the liberty to work out their rights through court of law.

In view of the above, the Appellant and Respondent hereby pray that this Hon'ble Court may be



WEB COPY



C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024

pleased to take on record this Joint Memo of Compromise filed today i.e., 21.08.2025, and seek the indulgence of this Honorable Court to pass a judgment and decree as follows:

a) Granting Permanent Custody of their minor son, V.Uthkarsh, born on 15.08.2015, currently aged 10 years to the Respondent.

b) Dissolving their marriage held on 24.02.2014 at Sri Raghavendra Kalyana Mandapam, Kodambakkam, Chennai - 600 024 , solemnized according to Hindu Rites and Customs and registered on 20.03.2014 before the Sub-Registrar, Kodambakkam as S.No.192 of 2014.

And pass such further or other orders as this Hon'ble Court may be deemed fit and proper in the circumstances of the case and thus render justice.

Dated at Chennai on this the 21st day of August, 2025.

*sd/-
Appellant.*

*sd/-
Counsel for Appellant*

*sd/-
Respondent*

*sd/-
Counsel for Respondent*

6. The above Joint Memo of Compromise dated 21.08.2025 is recorded. In view of the Joint Memo of Compromise filed by the appellant



*C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024*

and the respondent, the marriage solemnized between the appellant and the respondent on 24.02.2014 is dissolved and a decree of divorce is granted. The respondent is granted permanent custody of the minor son, V.Uthkarsh, born on 15.08.2015. Accordingly, the Civil Miscellaneous Appeal is disposed of in terms of the Joint Memo of Compromise filed by the parties. The Joint Memo of Compromise dated 21.08.2025 shall form part of the decree. Accordingly, the connected Civil Revision Petition is also disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

[J.N.B.,J.] [M.J.R.,J.]
21.08.2025

vsi
Speaking order/Non-speaking order
Neutral Citation: Yes/No



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*C.M.A.No.1778 of 2024
& C.R.P.No.679 of 2024*

J.NISHA BANU,J.
AND
M.JOTHIRAMAN,J.

Vsi

C.M.A.No.1778 of 2024
and
C.R.P.No.679 of 2024

21.08.2025