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C.M.A.(MD)NO.98 OF 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MS.JUSTICE R. POORNIMA

C.M.A.(MD)No.98 of 2020 AND

C.M.P.(MD)No.1689 of 2020

Malarvizhi

... Appellant / Respondent

Vs.

Kodi

... Respondent / Petitioner

Prayer: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Courts Act, 1984, to allow this appeal and set aside the fair and executable order dated 19.11.2019 passed by the learned Family Judge, Madurai in H.M.O.P.No.374 of 2005.

For Appellant : Mr.T.Antony Arulraj

For Respondent : Mr.AN.Ramanathan

* * *

J U D G M E N T

(Judgment of the Court was delivered by G.R.SWAMINATHAN, J.)

Heard both sides.



2. The marriage between the parties herein took place on

12.07.1992 at Checkanoorani Village as per the Hindu rites and customs.

Two daughters were born through the wedlock. Differences of opinion arose between the parties some time in the year 1996. Number of cases were instituted at the instance of the appellant / wife.

3. The husband filed H.M.O.P.No.374 of 2005 seeking dissolution of marriage on the ground of desertion and cruelty on the part of the appellant herein. The Court below vide order dated 19.11.2019 allowed the HMOP dissolving the marriage between the parties. Aggrieved by the same, this civil miscellaneous appeal has been filed by the wife.

4. When the matter was taken up for hearing, we called upon the authorities to resolve the dispute between themselves. Today a joint compromise affidavit has been filed.

5. The parties namely, Malarvizhi as well as Kodi are present before us. It has been signed by the parties as well as their respective counsel. It is confirmed by Kodi in particular that he has signed the Joint



Compromise affidavit on his own volition and he has no objection for disposing this civil miscellaneous appeal in terms of the aforesaid joint compromise memo. Kodi retires from service on 31.12.2025. He states that the terminal benefits payable to him would be not less than Rs.30 Lakhs.

6. We direct the employer (The Director of Public Health and Preventive Medicine, Teynampet, Chennai – 6) to directly disburse the sum of Rs.30 Lakhs out of the terminal benefits payable to Thiru.Kodi. It shall be credited to the bank account of the appellant Malarvizhi, the details of which have been furnished in the Joint Compromise Affidavit dated 30.01.2025. The impugned order is sustained. This civil miscellaneous appeal is disposed of in terms of the Joint Compromise Affidavit dated 30.01.2025. It shall form part of the decree. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (R. POORNIMA, J.)

30th January 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU



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To:

1. The Family Judge,
Madurai.
2. The Record Keeper, V.R.Section,
Madurai Bench of Madras High Court, Madurai.



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**G.R.SWAMINATHAN,J.
AND
R.POORNIMA, J.**

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