



C.M.A.(MD)No.556 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 23.01.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

C.M.A.(MD)No.556 of 2021

Vijayakumar

... Appellant

Vs.

1.Priya

2.Gnanavel

... Respondents

Prayer : Civil Miscellaneous Appeal is filed under section 19 of Family Court Act, to set aside the order passed by the Family Court Judge, Srivilliputhur in H.M.O.P.No.126 of 2016 dated 28.06.2019.

For Appellant : Mr.M.Solaisamy

For Respondents : Mr.I.Velpradeep



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JUDGMENT

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(Judgment of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.The marriage between the parties herein took place on 14.11.2013 at Madavar Valagam, Srivilliputhur as per Hindu rites and customs. A girl child was born through the wedlock on 20.08.2014. Subsequently, difference of opinion arose between the parties. The husband filed H.M.O.P.No.126 of 2016 on the file of the Family Court, Srivilliputhur seeking dissolution of marriage on the ground of cruelty. Vide order dated 28.06.2019, the HMOP was dismissed. Challenging the same, this civil miscellaneous appeal came to be filed.

3.When the matter was taken up for hearing on the last occasion, we called upon the parties to negotiate the differences between themselves and settle the issues.

4.The parties appeared before us and they have filed a joint compromise memo. It has been duly counter signed by the respective



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counsel. The appellant withdraws all the allegations made against the first respondent. The appellant has also paid a sum of Rs.3,00,000/- by cash to the first respondent towards full and final settlement. The first respondent gives up any further claim regarding maintenance as well as permanent alimony. Since the parties are remaining separate from each other for close to ten years, we waive the cooling off period of six months. The marriage that took place between the parties stands dissolved by this decree of divorce by mutual consent. The order impugned in this civil miscellaneous appeal is set aside and the civil miscellaneous appeal is allowed. The joint compromise memo dated 22.01.2025 shall form part of the decree. No costs.

(G.R.S. J.) & (R.P. J.)
23.01.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Family Court,
Srivilliputhur.



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

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