



C.M.A.(MD)No.132 of 2019

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 20.01.2025

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

**C.M.A.(MD)No.132 of 2019**

P.Karthiravan

... Appellant

**Vs.**

T.Sudha

... Respondent

**Prayer :** Civil Miscellaneous Appeal is filed under section 19 of Family Court Act, to set aside the fair and decreetal order dated 16.08.2018 passed in H.M.O.P.No.389 of 2014 on the file of Family Court, Madurai and to allow this Civil Miscellaneous Appeal.

For Appellant : Mr.R.Karunanidhi

For Respondent : Mr.J.Lawrance



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**JUDGMENT**

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

Heard both sides.

2.The appellant / Kathiravan married the respondent / Sudha on 07.03.2012 as per Hindu rites and customs at L.M.Ramakrishna Mahal, Palanganatham, Madurai. A female child namely, Sivajanani was born through the said wedlock on 11.03.2013. The marital relationship between the parties came under strain. Sudha / respondent filed H.M.O.P.No.962 of 2015 on the file of Family Court, Madurai seeking restitution of conjugal rights while the appellant / Kathiravan filed H.M.O.P.No.389 of 2014 on the file of Family Court, Madurai seeking dissolution of marriage. Both the H.M.O.Ps were heard together. Vide order dated 16.08.2018, H.M.O.P.No.962 of 2015 was allowed and H.M.O.P.No.389 of 2014 was dismissed. Challenging the same, Kathiravan filed C.M.A.(MD)Nos.131 and 132 of 2019 were filed.

3.We called upon the parties to resolve the disputes between themselves and report settlement.



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4.Today, ie., 20.01.2025, when the matter was taken up for hearing, a joint memo of compromise has been filed. The parties also present before us. Sudha / respondent informs us that she has received a sum of Rs.21,00,000/- by way of demand draft towards full and final settlement of all her claims against the appellant. She further acknowledges that all the articles that were handed over at the time of marriage have been received by her.

4.It is seen that the respondent / Sudha filed M.C.No.28 of 2014 and D.V.O.P.No.2 of 2019. The respondent / Sudha undertakes to withdraw M.C.No.28 of 2014 on the file of Judicial Magistrate, Nilakottai as well as D.V.O.P.No.2 of 2019 on the file of the Judicial Magistrate, Nilakottai. The parties are remaining separate for the last eleven years. Therefore, we waive the cooling period of six months. The marriage that took place between the appellant and the respondent at L.M.Ramakrishna Mahal, Palanganatham, Madurai on 07.03.2012 stands dissolved by this decree of divorce by mutual consent. The compromise memo dated 18.01.2025 signed by the parties as well as by the respective counsel shall form part of this judgment. The order impugned in this



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civil miscellaneous appeal is set aside. This civil miscellaneous appeal is disposed of accordingly. No costs.

**(G.R.S. J.,) & (R.P. J.,)  
20.01.2025**

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

The Family Court,  
Madurai.



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

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**20.01.2025  
(2/2)**