



C.M.A(MD)Nos.686 and 687 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 28.03.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

C.M.A(MD)Nos.686 and 687 of 2021

C.M.A.(MD)No.686 of 2021:

T.Rajaram

... Appellant/ Petitioner

-Vs-

M.Sindhu Bairavi

... Respondent/Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, to call for the records to relating the judgment and decreetal order passed in H.M.O.P.No.64 of 2019 dated 10.05.2021 on the file of the learned Family Court, Thanjavur, Thanjavur District and set aside the same.



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For Petitioner : Mr.N.Tamilmani

For Respondent : Mr.P.Vadivel

C.M.A.(MD)No.687 of 2021:

T.Rajaram

... Appellant/Respondent

-Vs-

M.Sindhu Bairavi

... Respondent/Petitioner

PRAYER: Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act, to call for the records to relating the judgment and decreetal order passed in H.M.O.P.No.65 of 2019 dated 10.05.2021 on the file of the learned Family Court, Thanjavur, Thanjavur District and set aside the same.

For Petitioner : Mr.N.Tamilmani

For Respondent : Mr.P.Vadivel



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COMMON JUDGMENT

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

The appellant, T.Rajaram, and the respondent, M.Sindhu Bairavi, were married on 14.11.2013 at Thanjavur District, in accordance with Hindu customs. Due to physical and mental incompatibility, the marital relationship broke down, leading to filing of a divorce petition by the husband and a petition for restitution of conjugal rights by the wife. Both petitions were taken up together for trial by the Family Court, Thanjavur. The husband's divorce petition, HMOP No. 64 of 2019, was dismissed and the wife's petition for restitution of conjugal rights, HMOP No. 65 of 2019, was allowed by order dated 10.05.2021. Being aggrieved, the husband has preferred C.M.A.(MD) No.686 of 2021 against the dismissal of his divorce petition in HMOP No. 64 of 2019, and C.M.A. (MD) No. 687 of 2021 against the order allowing the wife's petition for restitution of conjugal rights in HMOP No. 65 of 2019.

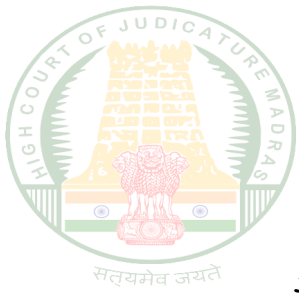


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2. When the matter was taken up for consideration, the parties were present in person and had filed a compromise memo. The memo stated that they had agreed to dissolve the marriage without averting to the allegations made in their petitions. They also agreed to withdraw their complaints upon receipt of a total sum of Rs. 8,96,000/-. The receipt of this amount by the wife was acknowledged in the compromise memo. The parties, who are present in court today, have expressed their mutual consent to dissolve the marriage, and have agreed to the passing of a decree in terms of the compromise. The terms of the compromise are as follows:

- 1. The respondent/wife received a total sum of Rs.6,00,000/- (Rupees Six Lakh) as one time settlement for her past, present and future maintenance.*
- 2. The petitioner/husband is also have no objection for withdrawing the amount of Rs.2,96,000/- (Two Lakh Ninety Six Thousand only) deposited by him before the Judicial Magistrate No.I, Court Thanjavur in M.C.No.40 of 2016 by the respondent/wife.*



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3. Both parties received their golden jewels and house hold articles etc from each other. Both parties giving assurance that there is no claim between themselves.

4. The respondent / wife have no objection to allow the Criminal Original Petition in Crl.O.P.(MD)No.13049 of 2023 pending on the file of the Madurai Bench of Madras High Court.

5.The respondent/wife have no objection to allow the Civil Revision Petition in C.R.P.(MD)No.2401 of 2023 pending on the file of the Madurai Bench of Madras High Court.

6. The respondent/wife have no objection to allow the Civil Miscellaneous Appeal in C.M.A.(MD)Nos.686 & 687 of 2021 pending on the file of the Madurai Bench of Madras High Court.

7. Both parties agreed not to interfere with the personal life of each other hereafter.



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3. In view of the fact that the parties have decided to dissolve the marriage solemnized between them on 14.11.2013, and having been litigating for the past 10 years without any cohabitation or reunion, the C.M.A.(MD)Nos.686 and 687 of 2021 are disposed of in terms of the compromise memo. Accordingly, the decree of divorce is granted. The terms of the compromise memo shall form part of this decree. No costs.

[G.J., J.] & [R.P., J.]

28.03.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

Nsr

To:

1.The Family Court,
Thanjavur District.



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AND

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