

CMA(MD)No.1356 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2025

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CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

CMA(MD)No.1356 of 2024

and

CMP(MD)No.14725 of 2024

Kesava Mariappan

... Appellant

vs.

Bharani Eashwari

... Respondent

Appeal filed under Section 19 of the Family Courts Act, 1984, against the fair and decreetal order dated 20.11.2023 in HMOP.No.23 of 2022 on the file of the learned Family Court, Srivilliputhur, Virudhunagar.

For Appellant : Mr.R.Senthilkumar

For Respondent : Mr.R.Rajamohan

JUDGMENT

[Judgment of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

The appellant in this appeal is the husband and the respondent both the cases is his wife. Originally, the respondent filed HMOP.No. 23/2022 for restitution of conjugal rights and the appellant filed HMOP.No.

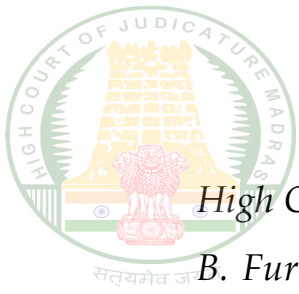


81/2023 against the respondent for granting a decree of divorce. The Family Court, Virudhunagar, by a common impugned order dated 20.11.2023, had dismissed the petition for divorce and allowed the petition for restitution of conjugal rights. Challenging the order passed in HMOP.No.23/2022 filed for restitution of conjugal rights, the husband has filed this appeal.

2. By order dated 20.06.2025, at the request of the counsel on either side, the matter was referred to the mediation centre, where, the parties after deliberations, have arrived at a settlement and filed a settlement agreement dated 03.07.2025 with the following terms:

"6. The following settlement has been arrived at between the parties hereto:

A. Both the parties agreed to settle the issue themselves before the mediation and conciliation center, Madurai Bench Hon'ble High Court on 08.08.2035, As per the settlement the appellant Mr. Kesava Mariappan agreed to pay a sum of Rs. 5,00,000/- to the respondent wife Bharani Eashwari as one time settlement. The Respondent handed over the THAALI to the Appellant before the Mediators on 11.08.2025. The respondent wife also agreed to withdraw the maintenance case in M.C.No. 42/2023 on the file of before the Family Court, Siriviliputhur. Further the Respondent agreed to compromise the case in Crime No.2/2024 pending before the Judicial Magistrate Court Additional Magalir Neethimandram Siriviliputhur, by filing compromise quash petition before this Hon'ble



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High Court Madurai Bench.

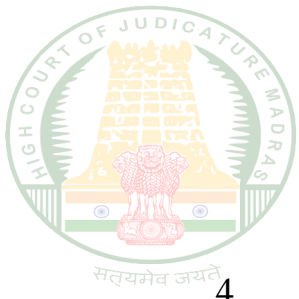
B. Further the Appellant also agreed to close the appeals filed before this Hon'ble High Court CMA(MD). No. 1356/2024 and CMA(MD).Sr.No. 50639/2024 by recording the compromise made between the appellant and respondent.

C. The amount of Rs.5,00,000/- has been settled on 08.08.2025 and the case has been postponed to 11.08.2025 for the settlement of mangalyam by the respondent.

D. Further it has been ensured that both the parties agreed to get mutual divorce by initiate separate mutual consent divorce original petition before the Family Court at Srivilliputhur, Virudhunagar District. Both the parties agreed to co-operate with the mutual consent divorce petition filed by either appellant or the respondent before the competent court. It has been agreed that no any further claim in respect of alimony life time on the part of the respondent(wife).

7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to CMA(MD).No.1356 of 2024 CMA(MD).Sr.No.50639/2024 and all disputes and difference in this regard have been amicably settled by the parties hereto through the process of conciliation/Mediation."

3. Both the parties are present before this Court along with their counsels. Both the parties have stated that they have entered into the abovesaid settlement agreement and would seek that this appeal may be disposed of based on the settlement agreement dated 03.07.2025.



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4. Accordingly, this Civil Miscellaneous Appeal is disposed of in terms of the settlement agreement dated 03.07.2025. The settlement agreement dated 09.12.2023 shall form part and parcel of the common judgment and decree. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

[A.D.J.C., J.] [R.P., J.]
25.08.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

The Judge,
Family Court, Srivilliputhur,
Virudhunagar District.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

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JUDGMENT MADE IN
CMA(MD)No.1356 of 2024

DATED : 25.08.2025