



**C.M.A.(MD)No.49 of 2024**

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

WEB COPY

DATED : 22.01.2025

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

**C.M.A.(MD)No.49 of 2024**

P.Uma

... Appellant

**Vs.**

S.Jeyendraprasad

... Respondent

**Prayer :** Civil Miscellaneous Appeal is filed under section 19 of Family Court Act r/w. Order 41 Rule 1 of Civil Procedure Code, to set aside the Judgment and decree dated 12.06.2023 passed by the learned Family Court, Virudhunagar District at Srivilliputhur in H.M.O.P.No.137 of 2022.

For Appellant : Mr.A.L.Kannan

For Respondent : Mr.R.Ponkarthikeyan



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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 appellant / Uma got married to the respondent / S.Jeyendraprasad on 01.09.2021 at Arulmighu Salai Kumara Swamy Temple, Tirunelveli Junction as per Hindu rites and customs. No child was born through the wedlock. The parties are remaining separate from each other since September 2021. Uma filed H.M.O.P.No.137 of 2022 on the file of Family Court, Virudhunagar District at Srivilliputhur seeking dissolution of her marriage with the respondent. She pleaded the ground of cruelty. The HMOP was however dismissed on 12.06.2023. Aggrieved by the same, this civil miscellaneous appeal came to be filed.

3.During the pendency of the civil miscellaneous appeal, the parties negotiated between themselves and arrived at a settlement. A joint compromise memo signed by both the parties as well as the respective counsel has also been filed. The appellant is present in person before us. The respondent appeared before us through Whatsapp video

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call. Both the parties submitted that they had resolved all the disputes between them. The appellant had already withdrawn D.V.O.P.No.25 of 2022 filed by her before Additional Mahila Court, Srivilliputhur. They have also exchanged their articles. The respondent has also returned the gold jewellery presented at the time of marriage. The parties have no further claim against each other. They are also not making any allegation against each other. The parties want to dissolve their marriage by mutual consent under Section 13B of the Hindu Marriage Act, 1955. Since the parties are remaining separate from each other for more than 3 years, we waive the six months cooling off period.

4.Taking into account the joint compromise memo dated 12.08.2024 filed by the parties, it is decreed that the marriage that took place between them on 01.09.2021 at Arulmighu Salai Kumara Swamy Temple, Tirunelveli Junction stands dissolved by mutual consent and the order passed by the Family Court, Virudhunagar District at Srivilliputhur in H.M.O.P.No.137 of 2022 on 12.06.2023 is set aside. The joint compromise memo dated 12.08.2024 shall form part of the decree.



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WEB COPY 5.This civil miscellaneous appeal is allowed accordingly. No costs.

**(G.R.S. J.,) & (R.P. J.,)**  
**22.01.2025**

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

The Family Court,  
Virudhunagar District,  
At Srivilliputhur.



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

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