



C.M.A.(MD) No.1463 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2025

CORAM:

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

**C.M.A.(MD) No.1463 of 2024
and
C.M.P(MD)No.15696 of 2024**

R.Amala Steffi

... Appellant

Vs.

E.Daniel

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 55 of the Indian Divorce Act, to set aside the fair and decreetal order made in I.D.O.P No.200 of 2019 on the file of the Family Court, Madurai dated 08.01.2024 and restore the marriage solemnized between the appellant and the respondent dated 08.02.2015 at St. Joseph's Church, Gnanaolivupuram, A.A. Road, Madurai.



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For Appellant : Mr.J.William Christopher

For Respondent : Mr.Babu Rajendran

J U D G M E N T

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

This Civil Miscellaneous Appeal has been filed against the order of the Family Court, Madurai in I.D.O.P No.200 of 2019 dated 08.01.2024 by which the learned Judge, Family Court dissolved the marriage between the appellant and the respondent solemnized on 08.02.2015 at St. Joseph's Church, Gnanaolivupuram, A.A. Road, Madurai. Pending appeal the parties have arrived at compromise.

2. The learned counsel appearing for the appellant would submit that the appellant is the wife. The respondent/husband had filed IDOP.No.200 of 2019 before the Family Court, Madurai and the Family Court by order dated 08.01.2024 had granted decree of divorce, against which the present Civil Miscellaneous Appeal has been filed.



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3. The learned counsel appearing for the respondent would submit that in lieu of the joint compromise memo the respondent/husband had paid a sum of Rs.18,00,000/- (Rupees Eighteen Lakhs only) towards full and final settlement for maintenance and it is also agreed that the custody of the minor child namely, Juvanita Marin will be with the appellant and the respondent has relinquished his right of custody.

4. The parties are present before this Court and they agreed to abide by the terms of joint compromise memo and would seek for disposal of the Civil Miscellaneous Appeal in terms of joint compromise memo.

5. The appellant also acknowledged the receipt of Rs.18,00,000/- (Rupees Eighteen Lakhs only) towards full and final settlement towards maintenance and the respondent/husband relinquished the right of custody of the child.

6. The appellant and the respondent are present before this Court and they were identified by their respective counsels. The joint



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compromise memo was also attested by both the parties. The joint compromise memo dated 24.06.2025, is taken on record. The contents of the joint compromise memo is extracted herein under:

“1.The appellant and the respondent herein are the wife and husband respectively. whereas the marriage between the appellant and the respondent was held on 08.02.2015 at St. Joseph's Church, Gnanaolivupuram, Madurai as per the Roman Catholic Christian rites and customs. Out of wedlock we have daughter by name Juvanita Marin.

2. It is submitted that difference of opinion arose between the appellant and the respondent and the respondent has filed the petition for dissolution of marriage against the appellant before the Hon'ble Judge, Family Court, Madurai and same was decreed in favour of the respondent in I.D.O.P No.200 of 2019 on 08.01.2024.

3. It is submitted that against the same the appellant has filed an appeal before this Hon'ble Court in C.M.A(MD) No.1463 of 2024 challenging the fair and decretal order of the Hon'ble Judge, Family Court, Madurai in which an interim stay was granted by this Hon'ble Court in C.M.P(MD) No.15696 of 2024 on



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4. *It is submitted that at the intervention of well-wishers and relatives the appellant and the respondent resolved to settle our disputes amicably and to dissolve the marriage held between them on 08.02.2015 at St. Joseph's Church, Gnanaolivupuram, Madurai mutual consent of both the parties, whole heartedly.*

5. *It is submitted that the appellant hereby agreed to not press the appeal pending before this Hon'ble Court in C.M.A(MD) No.1463 of 2024 and the connected in C.M.P(MD) No.15696 of 2024.*

6. *It is submitted that the appellant had already withdrawn the maintenance case filed before the Learned Family Judge, Madurai in M.C. No. 181 of 2023 on 28.04.2025.*

7. *It is submitted that in regard with the alimony for the appellant and the for maintenance of the child Juvanita Marin, the respondent has paid a sum of Rs.18,00,000/- (Rupees Eighteen lakhs only) as onetime settlement through two Demand Drafts in the name Amala Steffi bearing numbers 191715 & 191716 for a sum of Rs. 9,00,000/- each, drawn on State Bank of India, Arasaradi Branch, Madurai dated 23.04.2025.*



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8. *It is submitted that irrespective of the decree passed by the Hon'ble Judge, Family Court, Madurai in I.D.O.P No.200 of 2019, the appellant and the respondent hereby agreed to not press the charges levelled against each other.*

9. *It is submitted that all the belongings of the appellant are with her and nothing remains with the respondent to be returned to the appellant. Likewise, nothing remains with the appellant to be returned to the respondent.*

10. *It is submitted that the appellant hereby agreed not to make any maintenance claims in future against the respondent for herself and for her minor daughter Juvanita Marin.*

11. *It is submitted that the appellant shall retain the custody, care and protection of all the child Juvanita Marin born out of the wedlock and the respondent has no right or claim over the custody of the child hereafter.*

12. *It is submitted that the appellant and the respondent undertake not to initiate further legal proceedings against each other.*

Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the appeal preferred by the appellant



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in CMA(MD) No.1463 of 2024 pending before this Hon'ble Court and to restore the fair and decretal order passed by the Learned Special Judge, Family Court, Madurai in I.D.O.P No.200 of 2019 dated 08.01.2024 as to pass such other orders as this Hon'ble Court deem fit in the interest of justice and thus render justice.”

6. In the result, the Civil Miscellaneous Appeal is dismissed in terms of the joint compromise memo and thereby the order and decree of the Family Court, Madurai in IDOP.No.200 of 2019 dated 08.01.2024 dissolving the marriage between the appellant/wife and the respondent/husband solemnized on 08.02.2015 at St. Joseph's Church, Gnanaolivupuram, A.A. Road, Madurai stands confirmed. The joint compromise memo shall form part and parcel of the decree. No costs. Consequently, connected miscellaneous petition is closed.

[A.D.J.C., J.] [R.P., J.]
27.06.2025

NCC : Yes / No
Index : Yes / No
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To:

- 1.The Judge,
Family Court,
Madurai.
- 2.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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

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