

CMA(MD)No.763 of 2023
CRP(MD)No.2556 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2025

CORAM:

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

**CMA(MD)No.763 of 2023 and CRP(MD)No.2556 of 2022
and
CMP(MD)Nos.10745, 10747 & 16604 of 2023 and 12572 of 2022**

D.Billy ... Appellant/Petitioner in both cases

vs.

Angelin Thaya ... Respondent in both cases

Appeal filed under Section 19 of the Family Courts Act, 1984, against the order passed in D.O.P.No.242 of 2021, dated 24.05.2023 on the file of the Family Court, Tirunelveli.

Revision Petition filed under Article 227 of the Constitution of India, against the fair and final order dated 27.10.2022 made in I.A.No.6 of 2022 in D.O.P.No.242 of 2021 on the file of the Family Court, Tirunelveli.

For Appellant/Petitioner : Mr.P.M.Vishnuvarthanan
For Respondent : Mr.Arjun Varman

COMMON JUDGMENT

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

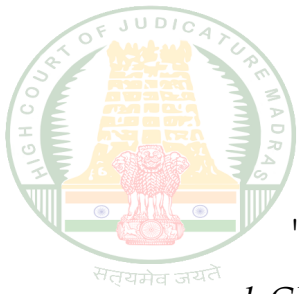
The appellant in the appeal and the petitioner in the revision petition is the husband and the respondent both the cases is his wife. The



CMA(MD)No.763 of 20__
CRP(MD)No.2556 of 2022

respondent/wife filed D.O.P.No.242/2021 before the Family Court, Tirunelveli, against her husband for granting decree of divorce. The respondent also filed I.A.No.6/2022 in D.O.P.No.242/2021 for directing her husband to return the petition mentioned jewels to her. The Family Court, by order dated 27.10.2022, had allowed I.A.No.6/2022 in D.O.P.No.242/2021, directing the husband to handover 38 sovereign of jewels as enlisted in the petition to the said I.A. Thereafter, by order dated 24.05.2023 in D.O.P.No. 242/2021, the Family Court had granted a decree of divorce and specifically ordered that the decree of divorce granted at the instance of wife shall take effect only on payment of Rs.10 Lakhs as a permanent alimony as per Section 37 of the Divorce Act insofar as the husband is concerned. Challenging the decree of divorce, the husband has filed Civil Miscellaneous Appeal and against the order passed in I.A.No.6/2022 in D.O.P.No.242/2021, for return of jewels, the husband has filed the Civil Revision Petition.

2. By order dated 22.11.2023, the matter was referred to the mediation centre, where, the parties after deliberations, have arrived at a settlement and filed a settlement agreement dated 09.12.2023 with the following terms:



CMA(MD)No.763 of 20__
CRP(MD)No.2556 of 2022

"1. Disputes and differences had arisen between the Parties hereto and CMA(MD).NO. 763 / 2023 and CRP(MD).No. 2556/2022 were is filled on 24.10.2023 and 09.12.2022 before the Hon'ble Madurai Bench of Madras High Court.

2. The matter was referred to mediation / conciliation vide an order dated 22.11. 2023 passed by The Hurtle Mr. Justice RMT. Teeka Raman and The Hon'ble Mr.Justice P.B. BALAJI

3. The parties agreed that Thiru V. NAGARAJAN would act as their Mediator/ Conciliator.

4. Several meetings was held during the process of Mediation /Conciliation on 9.12.2023 and the parties have with the assistance of the Mediator / Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and 6. The following settlement has been arrived at between the Parties hereto:

A. The following 13 items of Gold Jewels were handed by the Appellant (Husband) to the Respondent (wife) in the Presence of ThiruP.M. Vishnuvardhanan counsel for the Appellant (Husband) and Thiru M. Arjun Varman Counsel the Respondent (wife) with the list containing the weights as weighed by GRT Jewellers, Tirunelveli and the true copy filed and certified by the Appellant (Husband).

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.763 / 2023 and CRP(MD)No.2556/2022 and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation /Mediation."



CMA(MD)No.763 of 2023
CRP(MD)No.2556 of 2022

WEB COPY 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 both the cases may be disposed of based on the settlement agreement dated 09.12.2023.

4. Accordingly, CMA(MD)No.763/2023 challenging the decree of divorce granted by the Family Court is dismissed confirming the order passed in D.O.P.No.242 of 2021, dated 24.05.2023. CRP(MD)No.2556 of 2022 filed challenging the order passed in I.A.No.6/2022 in D.O.P.No.242/2021, for return of jewels, is disposed of in terms of the settlement agreement dated 09.12.2023. The settlement agreement dated 09.12.2023 shall form part and parcel of the common judgment and decree. No costs. Consequently, connected Civil Miscellaneous Petitions are closed.

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

11.07.2025

Index : Yes / No
Neutral Citation : Yes / No
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CMA(MD)No.763 of 20--
CRP(MD)No.2556 of 2022

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To

The Judge,
Family Court,
Kanyakumari at Nagercoil.



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CMA(MD)No.763 of 2023
CRP(MD)No.2556 of 2022

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

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COMMON JUDGMENT MADE IN
CMA(MD)No.763 of 2023 and
CRP(MD)No.2556 of 2022

DATED : 11.07.2025