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C.M.A.No.166 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2026

CORAM

THE HONOURABLE MR.JUSTICE C.V. KARTHIKEYAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

C.M.A.No.166 of 2021
& C.M.P.No.1103 of 2021

Savita

D/o.V.V.Krishnan

... Appellant

vs.

Karthik Ramani

S/o.K.Ramani

... Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19 of the Family Court Act to set aside the judgment and decree dated 19.09.2019 passed by II Additional Family Court, Chennai in O.P.No.2851 of 2018.

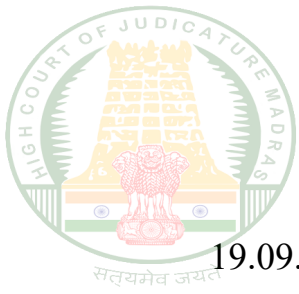
For Appellant : Ms.S.Janani

For Respondent : Mr.R.Thiagarajan

JUDGMENT

[Judgment of the Court was delivered by **C.V. KARTHIKEYAN, J**]

The respondent/wife in O.P.No.2851 of 2018 on the file of II Additional Family Court at Chennai, aggrieved by the order dated



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19.09.2019 is the appellant herein. The said O.P.No.2851 of 2018 had been

filed by the respondent/husband seeking dissolution of marriage solemnized between him and the appellant on 04.04.2007 on the ground of cruelty and desertion under Section 13(1)(i-a) and 13(1)(i-b) of Hindu Marriage Act, 1955.

2. We would restrict the narration of facts only to state that the parties were blessed with a boy born on 20.03.2009. The boy, who is now aged about 17 years, is now under the custody of his father/respondent herein. He is studying 12th Standard. We would also state that Mr.R.Thiagarajan, learned counsel for the respondent held out an assurance that the father would take care of the educational expenses including his higher studies and other needs of the son. We deeply appreciate the stand taken by Mr.R.Thiagarajan.

3. Be that as it may, there are several petitions and litigations pending between the appellant and the respondent. They are

i) CrI.A.No.289 of 2019 pending before the Court of Sessions, Greater Mumbai;

ii) CrI.A.No.100303 of 2019 pending before the Court of



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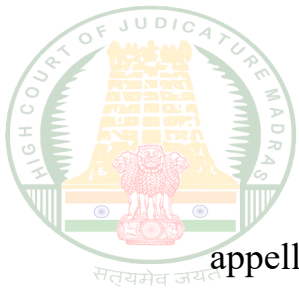
Sessions, Greater Mumbai; and

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iii) Domestic Violence Case No.250/DV/2018 before the
Magistrate, 57th Court, Kurla, Mumbai.

4. The parties have entered into a Settlement Agreement on 26.02.2024 and pursuant to the same, which required payment of a sum of Rs.25,00,000/- by the respondent herein to the appellant, it had been agreed that all pending litigations would be withdrawn by the respective parties who had initiated /instituted them. Out of the said amount, it had been contended on behalf of the appellant that a sum of Rs.4,00,000/- was still due and payable. However, Mr.R.Thiagarajan, learned counsel for respondent would submit that he had also paid interest for the amounts paid earlier and therefore, stated that only a sum of Rs.2,00,000/- is due and payable. Finally both the parties have agreed to come to a settlement on payment by the respondent of a sum of Rs.3,00,000/- in full and settlement of all claims as against each other including consent to withdraw all pending litigations.

5. Today, a Demand Draft bearing No.017080 for a sum of Rs.3,00,000/- drawn on HDFC Bank by the respondent in the name of the



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appellant dated 20.06.2026 had been handed over to Ms.S.Janani, learned

counsel for the appellant by learned Counsel Mr.R.Thiagarajan. Necessary endorsement for the receipt of the said draft for Rs.3,00,000/- had also been made by learned counsel for the appellant. The learned counsel for the appellant stated that the appellant would withdraw all pending litigations which she had instituted and pending before the Court in Mumbai.

6. It is also seen from the agreement between the parties that in view of this settlement reached, the parties are also desirous that the divorce which had been granted dissolving the marriage between them under Section 13(1)(i-a) of Hindu Marriage Act, 1955 should be converted into one granted under Section 13B of Hindu Marriage Act, 1955. In the agreement both parties have unconditionally withdrawn all the allegations which had been raised against each other in the various petitions, affidavits and counter affidavits presented before the Court. In view of the settlement, it is only appropriate that the marriage will necessarily have to be dissolved on mutual consent and not on allegations against each other. We would therefore dissolve the marriage solemnized between the appellant and the respondent on 04.04.2007 under Section 13B of the Hindu Marriage Act, 1955 as



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mutual consent by both parties. We would make it specifically clear that the allegations raised against by each party against each other are not pressed by them in view of the settlement reached by them.

Accordingly, this Civil Miscellaneous Appeal stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[C.V.K., J] [K.R.S., J]
22.06.2026

Index: Yes/No
Neutral citation: Yes/No
gpa

To

1. II Additional Family Court
Chennai
2. The Section Officer
VR Section
Madras High Court



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