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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2026

CORAM:

**THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN
AND
THE HON'BLE MR.JUSTICE K.RAJASEKAR**

CMA No. 210 of 2026

K.S.K. Nepolian Socraties
S/o. E.M.K. Kabilar

... Appellant/Petitioner

Vs

S.Menaka
W/o. K.S.K.Nepolian Socraties

...Respondent/Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 19 of Family Court Act read with Order CPC against the order in H.M.O.P.No. 4812 of 2019 on the file of V Additional Family court, Chennai, dated 23.10.2025.

For Appellant : Mr. R.Marudhachalamurthy

For Respondent : Mr. G.Mohana Krishnan

For Mediator : Mr.M.K.Kabir
Senior Advocate

J U D G M E N T

(Order of the Court was made by **C.V. KARTHIKEYAN, J.**)



WEB COPY This Appeal has been preferred by the petitioner in H.M.O.P.No. 4812 of 2019 on the file of V Additional Family Court at Chennai aggrieved by the Judgment dated 23.10.2025. The said petition had been presented by the appellant seeking dissolution of the marriage solemnised between him and respondent taking advantage of Section 13(1)(ia) of the Hindu Marriage Act. After full trial, the petition had been dismissed, necessitating the filing of this Appeal.

2. When the Appeal came up for admission before this Court, a Co-ordinate Division Bench had directed efforts to mediate the issues to be undertaken to bring about an amicable solution between the appellant and the respondent. This was by order dated 06.02.2026. In the said order, the Division Bench had specifically requested the assistance of Mr.M.K.Kabir, learned Senior Counsel and trained mediator to extend his services to bring about an amicable solution and prepare the terms thereof between the appellant and the respondent.

3. We are deeply grateful and we are confident that both the appellant and the respondent are also appreciative of the services rendered by Mr. M.K. Kabir, learned Senior Counsel, who devoted time and attention to presenting the settlement agreement dated 29.04.2026, entered into between



the parties.

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4. In view of the settlement reached, a mention had been made in the Court to bring this matter up in the list and accordingly, by way of additional list, the matter had been listed today by this Court.

5. During the hearing, the learned counsel for the appellant and the learned counsel for the respondent were present. The appellant and the respondent were also present. Mr.M.K.Kabir, learned Senior Counsel / Mediator was also present.

6. We had later taken up the matter in the Chambers to enquire the appellant and the respondent their confirmation of the terms agreed and reduced into writing by the learned Mediator and signed by them and also by their respective counsels. Both the appellant and the respondent affirmed that with consent and knowledge, they had agreed to the terms which had been reduced as terms of settlement presented before us.

7. The terms of the settlement shall form part of this order:-



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5. The parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.

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

A. The Appellant hereby agrees to pay a sum of Rs.90,00,000/- (Rupees Ninety Lakhs only) in full and final settlement to the respondent in following manner

- (i) A sum of Rs. 20 lakhs (rupees twenty lakhs only) will be paid on or before 20.05.2026.
- i. (ii) A sum of Rs. 30 lakhs (rupees thirty lakhs only) will be paid on or before 20.07.2026.
- ii. (iii) A sum of Rs. 20 lakhs (rupees twenty lakhs only) will be paid on or before 20.09.2026.
- iii. (iv) A sum of Rs. 20 lakhs (rupees twenty lakhs only) will be paid on or before 27.10.2026.

The above amount shall be paid promptly without any default to Mr.G.Mohana Krishnan, Counsel for Respondent.

B. The respondent hereby agrees to receive the said amount in full and final settlement of all her claims and demands against the appellant and she hereby agrees that she has no further claim or demand over any movable/immovable property belonging to the appellant and his family.

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indulge in any act of slander/libel/character assassination in any form including electronic mode or communication to friends/relations and families.

I. The appellant and the respondent will withdraw all the pending matters before any Court, tribunal or police station or any other authorities and neither will lodge or pursue any complaint or proceedings before any Court, Tribunal or other authority in future including against the family members and the respondent shall not press CC.No.466 of 2024 on the file of Judicial Magistrate Ambattur for which the letter will be handed over to the Mediator who shall ensure the same is complied with as per the order of the Hon'ble Division Bench, High Court of Madras.

J. On receipt of the entire sum of Rs.90 lakhs paid by the appellant as settlement in the mediation proceedings to the respondent, the respondent undertakes to cooperate with appellant by informing the Hon'ble High Court in Cri.O.P.No. 11555 of 2025 that the pending proceedings can be quashed against the appellant, his father and mother (namely E.M.K. Kabilar and C. Ramani) and the parties shall rely upon the settlement agreement in Cri.O.P.No. 11555 of 2025.

K. The aforesaid Cri.O.P.No. 11555 of 2025 pending on the file of Hon'ble High Court of Madras shall be simultaneously withdrawn on the receipt of final payment of Rs.20 lakhs on 27.10.2026 or earlier and the respondent will file necessary affidavit informing the Court she has received the entire payment and she has no objection for allowing the Cri.O.P.No. 11555 of 2025. The respondent or her relations or others claiming through her shall not impede the retirement of appellant father and mother from the

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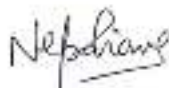
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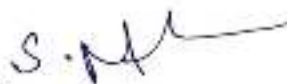
service in any wise provided the appellant clears the entire settlement amount as per the agreement.

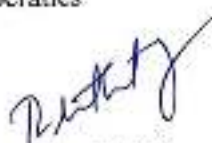
L. The parties hereby agree to abide by the aforesaid terms and conditions voluntarily agreed between them in the mediation proceedings and not to do any act, deed or thing in derogation thereof.

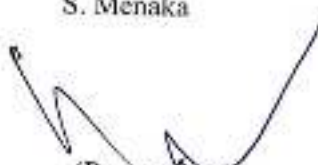
7. By signing this Agreement the Parties hereto state that they have no further claims or demands against each other with respect to C.M.A.No. 210 OF 2026 and all other cases and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of conciliation /Mediation.

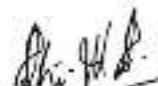
DATE: 30.04.2026


PARTIES SIGNATURE:(Appellant)
K.S.K.Nepolian Socraties


(Respondent)
S. Menaka


COUNSELS SIGNATURE : (Appellant)


(Respondent)


MEDIATOR



9. We would request the assistance of Mr.M.K.Kabir to continue till the amount of Rs.90/- lakhs is totally paid and till final orders are passed in C.C.No. 466 of 2024 on the file of Judicial Magistrate, Ambattur and in Crl.O.P.No. 11555 of 2025 pending before this Court and till all conditions set out in the settlement agreement are satisfied and complied and abided by both the parties.

10. In view of the settlement reached, which obviously brings about complete severance between the appellant and the respondent relating to the marriage solemnised between them on 01.12.2017, we would exercise our jurisdiction and dissolve the said marriage under Section 13(B) of the Hindu Marriage Act 1955 as and from this date.

11. The parties will have no claims as against each other or with respect to any other claim which they perceive against each other.

12. We hope the appellant and the respondent will move forward in their life and build a better future for themselves.

13. This Civil Miscellaneous Appeal stands disposed by dissolving



the marriage between the appellant and respondent solemnised on 01.12.2017 in terms of the settlement dated 29.04.2026. The Judgment and Decree of the trial Court is set aside. The settlement agreement shall form part of the decree.

(C.V.K.,J.) (K.R.S.,J.)
30-04-2026

Index: Yes / No
Speaking / Non-Speaking order
vsg

To

V Additional Family Court, Chennai.

C.V.KARTHIKEYAN, J.
And
K.RAJASEKAR, J.

vsg



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