



WEB COPY

CMA No. 416 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR JUSTICE K. RAJASEKAR

CMA No. 416 of 2026

and

CMP No.5049 of 2026

G.Akash

..Appellant(s)

Vs

J.Renuka

..Respondent(s)

This Civil Miscellaneous Appeal is filed under Section 19 of the Family Court Act r/w. Section 28 of the Hindu Marriage Act, to set aside the fair and decreetal order dated 30-04-2025 made in HMOP.No.141/2024 on the file of the Family Court, Thiruvallur.

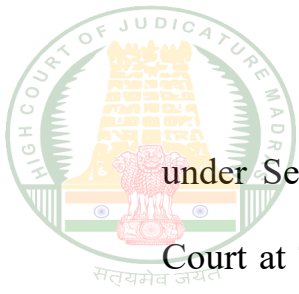
For Appellant(s): Mr.Aravind Subramanian, Senior Counsel,
For Mr.V.S.Kishore Kumar

For Respondent(s): Mr.D.Manimaran

JUDGMENT

(Judgment of the Court was delivered by C.V.Karthikeyan J.)

The respondent herein / wife / J.Renuka had initially filed H.M.O.P.No.141 of 2024 seeking dissolution of marriage solemnized between her and the appellant G.Akash / husband on 26.04.2023 on the ground of cruelty



under Section 13(1)(i-a) of the Hindu Marriage Act, 1955 before the Family Court at Thiruvallur. By order dated 30.04.2025, the said petition was allowed and the marriage stood dissolved. Questioning that order and decree, this appeal has been filed by the husband.

2.It is also to be noted that the respondent/wife had also instituted proceedings under Domestic Violence Act in D.V.C.No.18 of 2024 against the appellant and two others, which is now pending before the Additional Mahila Court (Magistrate Level) at Thiruvallur.

3.Both the parties have then agreed to entered into a settlement and a Joint Compromise Memo has now presented before us dated 06.06.2026. This has been signed by both the appellant the respondent and by their respective counsels.

4.It is also noted that the husband is represented by Mr.Aravindh Subramanian, Senior Counsel. On the previous hearing date, both the parties were present in Court. Today, the appellant / husband is present through video conference and the respondent / wife is present in Court. The learned counsel on both sides are also present.



5. In accordance with the terms of settlement, respondent / wife had earlier received a sum of Rs.4,50,000/- and a sum of Rs.1,00,000/- by cash. We enquired with her and she confirmed receipt of the said sum. The terms of the compromise involved payment of a further sum of Rs.4,50,000/- by the appellant / husband to the respondent / wife. The Joint Compromise Memo further stated that the respondent / wife would conditionally withdraw the case in D.V.C.No.18 of 2024 which is now pending before the Additional Mahila Court (Magistrate Level) at Thiruvallur. The next hearing date is 06.07.2026.

6. We are confident that the same would be withdrawn by the respondent and that the appellant would effect payment of the balance of Rs.4,50,000/- to her. But however, in view of the fact that they had decided to mutually dissolve the marriage, we are on the firm opinion that the marriage should not be dissolved under Section 13(1)(i-a) of the Hindu Marriage Act, 1955, but rather should be one under Section 13(B) of the Hindu Marriage Act, 1955 on mutual consent.

7. In view of this opinion, we hold that the allegations raised by the respondent against the appellant in her petition seeking divorce in H.M.O.P.No.141 of 2024 stands withdrawn. Both the parties have mutually decided to dissolve their marriage. They have not entered such a decision out of collusion or for any such other reason. In view of this particular fact, we



dissolve the marriage solemnized between the appellant and the respondent on 26.04.2023 under Section 13(B) of the Hindu Marriage Act, 1955. Accordingly, this Civil Miscellaneous Appeal stands disposed of. The Joint Compromise Memo shall form part of the decree. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

(C.V.K.,J.) (K.R.S.,J.)
24-06-2026

smv

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

To,

1.The Family Court, Thiruvallur.

2.The Additional Mahila Court (Magistrate Level), Thiruvallur.



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**C.V.KARTHIKEYAN, J.
AND
K.RAJASEKAR, J.**

smv

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