



WEB COPY

CMA No. 2563 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-03-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CMA No. 2563 of 2018

Thirumurugan

..Appellant

Vs

Dhanam

..Respondent

Civil Miscellaneous Appeal filed under Section 19 of the Family Courts Act to set aside the fair and final order passed in FCHMOP.No.7/2017 dated 11/05/2018 on the file of the Family court at Ariyalur.

For Appellant: Mr.M.Venkatesh for
Mr.R.Jayaprakash

For Respondent: M/s.G.Usha Raman

JUDGMENT

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

The Appeal has been filed by the petitioner in FCHMOP.No.7/2017 on the file of the Family court at Ariyalur, challenging the order dated 11.05.2018, by which order, the aforementioned FCHMOP No.7 of 2017 was dismissed.



2. The said petition was filed by the appellant herein seeking dissolution of the marriage, which had been conducted 09.11.2006 in the midnight at Kairlabath Police Station, Ariyalur Taluk as null and void under Section 12(1) (c) of the Hindu Marriage Act. The Family Court, Ariyalur dismissed the petition. Thereafter, the respondent had initiated proceedings seeking maintenance in M.C.No.11 of 2018 in the Family Court, Ariyalur.

3. It is brought to the notice of this court that pending such proceedings, the parties had arrived at a consensus that it would serve their interest if they live separately and the marriage is dissolved and in lieu thereof the respondent herein had received Rs.1,40,000/- as one time settlement and thereupon, the proceedings before the Family Court had been closed. Subsequent to such a development, a joint memo of compromise dated 17.12.2025 is presented before this court duly signed by the appellant and the respondent and their respective counsel.

4. The joint memo of compromise is as follows:-



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**IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CIVIL APPELLATE JURISDICTION)**

C.M.A.No. 2563 OF 2018

AGAINST

F.C.H.M.O.P.No. 7 OF 2017
[On the file of the Family Court at Ariyalur]

Thirumurugan, M/37
Son of Periyasamy,
No. 2/184, Mariamman Kovil Street,
K. Ambapur,
Kavanur Post,
Ariyalur Taluk,
Ariyalur District. ... Appellant/Petitioner

-Vs-

Dhanam, F/35
Daughter of Nagarajan,
Mariamman Kovil Street,
K. Ambapur,
Kavanur Post,
Ariyalur Taluk,
Ariyalur District. ... Respondent/Respondent

**JOINT COMPROMISE MEMO FILED BY THE APPELLANT
AND THE RESPONDENT**

1. The Appellant is Mr. Thirumurugan, Son of Periyasamy, Male, aged 37 years and the Respondent is Mrs. Dhanam, Wife of Thirumurugan, Female, aged 35 years.
2. The Appellant states that the marriage between the Appellant and the Respondent took place on 09.11.2006 during midnight in Kairlabath Police Station Ariyalur Taluk. Due to the wedlock, no child has been born to them.

[Signature]

[Signature]



3. The Appellant filed divorce petition under Sec.12 (1) (C) of the Hindu Marriage Act 1955 in F.C.H.M.O.P.No. 7 of 2017 seeking to declare the marriage between the Appellant and Respondent as null and void. The Learned Family Court, Ariyalur was pleased to dismiss the petition filed by the Appellant. Subsequently the Appellant filed the present Civil Miscellaneous Appeal in C.M.A.No. 2563 of 2018 against the Fair and Final Order passed in F.C.H.M.O.P.No. 7 of 2017 dated 11.05.2018 on the file of the Family Court at Ariyalur.

4. The Appellant states that the Respondent filed M.C.No. 11 of 2018 on the file of the Family Court at Ariyalur seeking for maintenance from the Appellant and the same was ordered and subsequently the Respondent had filed a petition u/s. 128 of Cr.P.C. in Cr.M.P.No. 13/2023 seeking for recovery of arrears of maintenance amount for a sum of Rs. 2,55,000/- and litigation expenses of Rs. 5,000/- On 11.12.2024, the Appellant negotiated the settlement and paid a sum of Rs. 1,40,000/- and a Joint Memo on both sides was filed and recorded. The Appellant respectfully states that as per the memo, the Appellant received a sum of Rs. 1,40,000/- as one-time settlement and subsequently the Learned Family Court, Ariyalur was pleased to close the case in Cr.M.P.No. 13 of 2023 in M.C.No. 11 of 2018 based on the compromise.

5. The Appellant states that in light of the payment made as onetime settlement, the Appellant and the Respondent have come for a compromise. The Respondent has no objection to the present Civil

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Miscellaneous Appeal in C.M.A.No. 2563 of 2018 pending before this Hon'ble Court to allow the same and to set aside the order passed by the Learned Family Judge, Ariyalur in F.C.H.M.O.P.No. 7 of 2017 and granting divorce. The Respondent has no objection for dissolving the marriage.

6. Both the parties, after considering their respective interests and having arrived at an amicable settlement, have agreed for allowing the present Civil Miscellaneous Appeal and the consequent of dissolving the marriage between the Appellant and the Respondent will not cause any prejudice to either party.

7. Both the parties hereby agree and abide by the present compromise memo. If any of the parties deviate from the present joint compromise memo in future, the other party is at liberty to take action in accordance with law.

Hence in the view of the above, both the parties pray this Hon'ble Court to record this Joint Compromise Memo and pass such further or other suitable orders as may deem fit and proper and thus render justice.

Dated at Chennai on this the 17th day of December 2025.

F. Changan
Appellant (Husband)

B. S. S. S.
Respondent (Wife)

M. Venkatesh
[M. VENKATESH]
Counsel for the Appellant
Ms- 353023.

Aisha Panigrahi
Counsel for the Respondent



5. Both the learned counsel are present and they had affirmed the aforesaid developments in the proceedings and sought for passing of necessary orders on the basis of the joint memo of compromise.

6. In view of the above, the order dated 11.05.2018 passed by the Family Court, Ariyalur in FCHMOP No.7 of 2017 is set aside and the Civil Miscellaneous Appeal stands allowed. The marriage between the appellant and the respondent dated 9.11.2006 stands dissolved. No order as to costs.

(C.V.K.,J.) (K.R.S.,J.)
05-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

ssk

To
Judge,
Family court at Ariyalur.



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

ssk

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