



C.M.A(MD)No.1052 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 23.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA

C.M.A.(MD)No.1052 of 2022
and
C.M.P(MD)No.10471 of 2022

Shanmugaprabu : Appellant

Vs.

1.Sivakami

2.Minor.Harish

(Minor rep. By the 1st respondent mother)

: Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 19(1) of the Family Court Act, to set aside the order and decreetal order, dated 08/07/2022 made in I.A.No.3 of 2021 in HMOP No.31 of 2021 on the file of the Family Court, Srivilliputhur.

For Appellant : Mr.A.R.Kannappan

For Respondents : Mr.M.Thirunavukkarasu



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JUDGMENT

WEB COPY [Judgment of the Court was delivered by G.K.ILANTHIRAIYAN, J]

This Civil Miscellaneous Appeal is directed against the order and decretal order, dated 08/07/2022 made in I.A.No.3 of 2021 in HMOP No.31 of 2021 on the file of the Family Court, Srivilliputhur, thereby awarded interim maintenance payable by the appellant in favour of the respondents.

2.The appellant/ husband filed a divorce petition in HMOP No.31 of 2021 before the Family Court, Srivilliputhur, under Section 13(1)(i-a) (i-b) of the Hindu Marriage Act, 1960 on the ground of cruelty and desertion for dissolution of marriage held between the appellant/husband and the 1st respondent/wife on 12.06.2013. While pending divorce petition, the 1st respondent filed a petition seeking interim maintenance. After considering the petition and considering the evidence and material on records, the trial Court awarded interim maintenance in favour of the 1st respondent for a sum of Rs.7,500/- and a sum of Rs.15,000/- in favour of the 2nd respondent payable by the appellant herein. Aggrieved by the same, the present appeal is filed.



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3. Pending appeal, the matter was referred to the Mediation and

Conciliation Centre with the consent of the parties. Both the parties have entered into a settlement and resolving the issues amicably among themselves. The terms of Settlement Agreement has been reduced into writing and both the parties as well as their respective counsel signed the Settlement Agreement.

4. Before the Mediation and Conciliation Centre, the parties have arrived at settlement, dated 05.01.2026 which are as follows:-

1. Disputes and differences had arisen between the parties hereto and C.M.A.(MD).No. 1052 / 2022 was filed on 02.09.2022 before Madurai Bench of Madras High Court.

2. The matter was referred to mediation / conciliation vide an order dated 05.12.2025 passed by Justice G.K.llandhirayan and Justice R. Poornima.

3. The parties agreed that Mr.M.M.Iqbal and Mrs. V.Sujatha would act as their mediator/conciliator.

4. Several meetings were held during the process of mediation/conciliation from 15.12.2025 to 05.01.2026, and the parties have with the assistance of the mediator/conciliator voluntarily arrived at amicable solution resolving the above mentioned disputes and differences.



5. *The parties hereto confirm that they have voluntarily and of their own free will arrived at the settlement agreement in the presence of the mediator/conciliator.*

6. *The following settlement has been arrived between the parties hereto:*

A. Both the parties have agreed that they can no longer pursue their matrimonial relationship. Hence, the appellant has agreed to pay a one time settlement of Rs. 5,00,000/- (Rupees Five Lakhs Only) and the amount is paid before the mediator and it was duly received by the 1st respondent. Further, the appellant has paid an amount of Rs.1,00,000/- and the same was received by the 1st respondent as per the order of this Hon'ble Court.

B. Further, the appellant has agreed to part with his property in Plot No. 198, comprised in S.No. 165/1, now sub-divided as 165/1A1A1A, measuring an extent of 1135 Sq.ft. situated at Poovani Village, Srivilliputhur Taluk, Virudhunagar District and a document to that effect has already been registered before the Srivilliputhur Sub Registrar in favour of the 1st respondent and her minor son namely Harish aged 12, the 2nd respondent. The document has been registered as a sale deed for the convenience of both the parties



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and with the consent of both parties vide Doc No: 8878 of 2025.

C. The 1st respondent will convey her consent for divorce before the Family Court, Srivilliputhur in H.M.O.P.No. 31 of 2021 and a memo to that effect will also be filed before the Family Court, Srivilliputhur.

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(MD). No. 1052/2022 (case No) and all disputes and differences in this regard have been amicably settled by the parties hereto through the process of mediation / conciliation.

5. Accordingly, the Civil Miscellaneous Appeal is disposed of in terms of the Mediation Report (Settlement Agreement dated 05.01.2026) entered between the appellant and the respondents herein. The Mediation Report/Settlement Agreement dated 05.01.2026 shall form part and parcel of the decree. No costs. Consequently, connected miscellaneous petition is closed.

[G.K.I., J.] & [R.P., J.]
23.01.2026

Index : Yes / No
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To,
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- 1.The Family Court,
Srivilliputhur.
- 2.The Section Officer,
VR/ER Section,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN , J.
AND
R.POORNIMA, J.

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