

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Wednesday, the Twenty Third day of July Two Thousand and Twenty Five

PRESENT

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CMSA(MD). Nos.27 AND 28 OF 2012

V.BALAJI
S/O.R.VENKATARAMAN
NO.13/4,MUTHURAMAN STREET
MYLAPORE
CHENNAI

... Appellant/Appellant/ Petitioner
in both CMSA's

Vs

R.VAISHNAVI
W/O.V.BALAJI,
NO.423/208, PUSHPAM COLONY,
2ND STREET,ARULANANDHA NAGAR,
THANJAVUR, TOWN & MUNSIF,
NOW RESIDING AT PLOT NO.342,10TH ST,
BANK STAFF COLONY,
MADHAKOTTAI,
THANJAVUR

... Respondent/Respondent/Respondent
in both CMSA's

Prayer :-

These Civil Miscellaneous Second Appeals filed under Section 28 of Hindu Marriage Act and Section 100 of Civil Procedure Code, to set aside the judgement and decree of the Lower Appellate Court dated 21.08.2012 passed in C.M.A.No.4 and 5 of 2011 respectively, on the file of the Principal District Judge, Thanjavur, confirming the Judgment and Decree of the Trial Court dated 25.01.2011 passed in



H.M.O.P.Nos.175 of 2009 and 130 of 2007 respectively, on the file of Additional Subordinate Judge, Thanjavur.

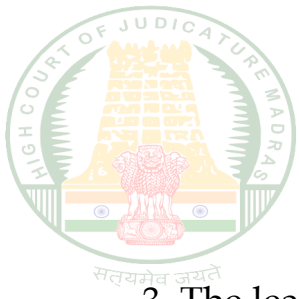
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ORDER :-These Civil Miscellaneous Second Appeals coming upon for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.Saravanan, Advocate for the petitioner and of Mr.V.K.Vijayaraghavan, Advocate for the respondent, this court made the following order :-

COMMON ORDER

The learned counsel appearing for the petitioner submitted that H.M.O.P. No. 175 of 2009 was filed by the petitioner herein against the respondent seeking divorce, while H.M.O.P. No. 130 of 2007 was filed by the respondent herein seeking restitution of conjugal rights. H.M.O.P. No. 175 of 2009, filed by the petitioner, was dismissed, and H.M.O.P. No. 130 of 2007, filed by the respondent, was allowed. Aggrieved by the same, the petitioner filed C.M.A. Nos. 4 and 5 of 2011 before the learned Principal District Judge, Thanjavur, which were dismissed on 21.08.2012. Challenging the said orders, the present petitions have been filed.

2. The learned counsel for the petitioner further submitted that during the pendency of this case, the matter was compromised between the parties, and the petitioner is ready to execute the settlement deed in favour of his son within a period of three weeks from the date of receipt of a copy of this order.



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3. The learned counsel for the respondent submitted that if the settlement deed is executed by the petitioner, the respondent has no objection to granting divorce to the petitioner.

4. In view of the above, there shall be a direction to the petitioner to execute the settlement deed in favour of his son within a period of three weeks from the date of receipt of a copy of this order. The petitioner also agrees to return the bureau and the seethana articles to the respondent.

5. Today, the petitioner is present before this Court. Both parties are directed to appear before this Court on the next hearing date for recording the compromise.

6. Registry is directed to post these cases on 13.08.2025.

Sd/-

// True Copy //

/ /2025

Sub-Assistant Registrar
(C.S - I / II/ III / IV)

To

1.The Principal District Judge,
Thanjavur



2.The Additional Subordinate Judge,
Thanjavur.

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ORDER DATED : 23/07/2025

HEARING DATE : 13/08/2025

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ORDER

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CMSA(MD). No.27 AND 28 OF 2012

CT (28/07/2025) 4P/3C

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