

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

CMAMP.Nos.1060 & 1061 of 2016
In/and
CMA.No.396 of 2016

Date:15.7.2016

Between:

R.Kavitha @ Chinni,
W/o Venkata Ramana

.....Appellant

And:

R.Venkata Ramana,
S/o C.Raghu and another.

....Respondents

Counsel for the Appellant: Mr. T.Rajanikanth Reddy
For Mr. C.Raghu

Counsel for Respondent No.1 : Mr. T.Balaji

The Court made the following:

COMMON ORDER: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

This Civil Miscellaneous Appeal is filed by the wife of respondent No.1 against judgment, dated 21.4.2016, in HMOP.No.59 of 2012 on the file of the Principal Senior Civil Judge, Tirupati, dissolving the marriage of the appellant and respondent No.1.

CMAMP.No.1060 of 2016 is filed by the appellant to permit her to convert HMOP.No.59 of 2012 filed under Section-13(1)(i)(ia) of the Hindu Marriage Act, 1955 (for short 'the Act') as the one filed under Section-13-B of the Act.

CMAMP.No.1061 of 2016 is filed to pass a decree for dissolution of marriage by mutual consent under Section-13-B of the Act.

Along with CMAMP.No.1061 of 2016, a joint memo has been filed containing the terms on which the decree for dissolution of marriage may be granted.

At the hearing, both the appellant and respondent No.1 are personally present along with their respective counsel.

Both the parties have informed the Court that they have entered into memorandum of compromise out of their free will and consent.

Mr. T.Balaji, learned counsel appearing for respondent No.1, has handed over two Demand drafts for a sum of Rs.5 lakhs each (totalling Rupees Ten lakhs only) to the appellant in full and final settlement of her claim against respondent No.1.

The appellant has informed the Court that she will not have any claim whatsoever in any manner against respondent No.1 hereafter.

In the light of the above, both the CMAMPs are allowed. The decree under appeal is modified by dissolving the marriage between the appellant and respondent No.1 by mutual consent under Section-15-B of the Act, subject to the terms of compromise filed along with CMAMP.No.1061 of 2016.

The appeal is, accordingly, disposed of.

As a sequel to disposal of the appeal, CMAMP.No.771 of 2016 filed by the appellant for interim relief is disposed of as infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

15th July 2016
DR