

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2015

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

Crl.O.P.No.31637 of 2014
and Crl.O.P.No. 669 of 2015

&

M.P. Nos. 1 and 2 of 2014 in Crl.O.P.No.31637 of 2014
and M.P.Nos.1 and 2 of 2015 in Crl.O.P.No.669 of 2015

Crl.O.P.No.31637 of 2014:-

1.Suganthi @ Abirami

2.K.Sundar

... Petitioners

Vs.

Saranya

.. Respondent

Crl.O.P.No.669 of 2015:-

1.Thangarasu

2.Dhanalakshmi

.. Petitioners

Vs.

Saranya

.. Respondent

For Petitioners : Mr.V.Neethidurai
in both petitions
For Respondent : Mr.K.Moorthy
in both petitions

Criminal Original Petitions filed under Section 482 of Cr.P.C., seeking to call for the records relating to M.C.No.16 of 2014 on the file of the Judicial Magistrate, Additional Mahila Court, Cuddalore and quash the same.

COMMON ORDER

These Criminal Original Petitions were referred for mediation to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.

2.A communication dated 08.04.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 06.04.2015 has been received, wherein it is stated as follows:-

"Parties arrived at an amicable settlement as per the terms in the Mediation Agreement enclosed herewith. Hence the matter is sent back to the Hon'ble Court."

3.As the parties have arrived at a settlement in terms of the Mediation Agreement dated 06.04.2015, these Criminal Original Petitions are listed for passing of an order in terms of the settlement.

4.The Mediation Agreement dated 06.04.2015, signed by the parties and their respective counsel reads as follows:-

"1.Saranya/Wife and Vikneswaran/Husband is agreed to settle the dispute amicably between them.

2. Vikneswaran/Husband agreed to pay a sum of Rs.11,00,000/- (Rupees Eleven Lakhs only) towards full and final settlement towards her permanent alimony including all the past, present and future claims of the Saranya/Wife. Saranya/Wife agreed to receive the same on the following terms.

3. As agreed by both the parties, Vikneswaran/Husband today i.e., 06.04.2015 paid a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to Saranya/Wife by way of Demand Draft bearing No.518994 dated 04.04.2015, drawn on State Bank of India, Mannargudi Branch, Saranya/ Wife acknowledged the receipt of the same.

4. As agreed, both the parties agreed to file the Mutual Consent Divorce Petition under Sec. 13 B of Hindu Marriage and Divorce Act before the Family Court at Cuddalore on or before 20.04.2015. As agreed by both the parties, Vikneswaran/Husband agreed to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) on or before 20.06.2015. Further, on that day Saranya/Wife agreed to withdraw the case which is filed under Domestic Violence Act in MC No.16/2014 and any other complaint or case before any of the authority against the Vikneswaran/Husband and Petitioners. Saranya/Wife agree to withdraw the complaint if any which she lodged in any of the Police Station against the Vikneswaran/Husband and the Petitioners in the above Case. Saranya/Wife and Vikneswaran/Husband assures that they will not create any problems against each other. Further, Vikneswaran/ Husband agreed to pay a sum of Rs.4,00,000/- (Rupees Four Lakhs only) at the time of final hearing of the said Mutual consent Divorce Petition. Saranya/Wife agreed for the same."

5. In terms of settlement arrived at between the parties which is recorded under the Mediation Agreement by the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, in its Report dated 06.04.2015, these Criminal Original Petitions are disposed of recording the Mediation Agreement. The Mediation Agreement and the report of the Mediation Centre shall form part of this order. Consequently, connected Miscellaneous Petitions are closed.

6. At this juncture, out of gratitude and benevolent gesture in appreciation of the work done by the Tamil Nadu Mediation and Conciliation Centre and for its upliftment, the learned counsel appearing for the petitioners, with the consent of the petitioners in both petitions, voluntarily agreed to jointly pay a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras. The said amount of Rs.20,000/- shall be jointly paid by the petitioners by way of cheque drawn in the name of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of four weeks.

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s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate,
Additional Mahila Court,
Cuddalore.
2. The Assitnar Registrar,
Tamil Nadu Mediation and Concilation Centre,
High Court, Madras.

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