

M.P.Nos.1 to 3 of 2015
in
TR.CMP.No.630 of 2013

B. RAJENDRAN, J.,

M.P.No.1 of 2015 has been filed seeking to modify the order dated 10.04.2015 passed in Tr.C.M.P.No.630 of 2013 to the following effect:

(i) to modify the prayer portion and the first paragraph of the order as the **learned III Additional District Judge, Tirunelveli** instead of the learned III Additional Subordinate Judge, Tirunelveli.

(ii) to modify clause (3) of para 5 of the order as **IDOP No.879 of 2013 on the file of the Family Court, Coimbatore** instead of HMOP No.879 of 2013 on the file of the Sub Court, Coimbatore.

2. **M.P.No.2 of 2015** has been filed to amend the affidavit and petition filed in support of the above Tr.C.M.P.No.630 of 2013 to the following effect:

"To amend the prayer portion as well as para Nos.8 and 9 of the affidavit by amending the Court as the **III Additional District Judge, Tirunelveli** instead of the III Additional Subordinate Judge, Tirunelveli."

3. **M.P.No.3 of 2015** has been filed to amend Clause 3 of para 5 of the Mediation Agreement to the following effect:

"to incorporate **IDOP No.879 of 2013 on the file of the Family Court, Coimbatore** instead of the HMOP No.879 of 2013 on the file of the Sub Court, Coimbatore."

4. I have heard the learned counsel appearing on either side.

5. In the above matter, the parties have settled their disputes before the Mediation Centre, High Court, Madras vide Mediation Agreement dated 27.02.2015. According to the parties, when settlement talks were going on, the pending matter was transferred to another Court and it was also re-numbered. However, both sides by oversight had committed error in not mentioning the revised case number as well as the Court name in the Mediation Agreement. Accordingly, these petitions have been filed to incorporate the correct case number as well as the Court and they would also pray for carrying out the necessary amendments in the Transfer Miscellaneous Petitions as well as in the Mediation Agreement and in the order passed by this Court dated 10.04.2015 in Tr.C.M.P.No.630 of 2013 based on the Mediation Agreement, as otherwise, the mediation agreement could not be given effect to.

6. In view of the said submission made on either side and taking into

account the fact that without incorporating the aforesaid amendments, the Mediation Agreement entered into between the parties could not be given effect to, I would like to allow all these petitions. **Accordingly, M.P.Nos.1 to 3 of 2015 are ordered as prayed for. Office is directed to carry out the necessary amendments as per the amendment petitions filed, in the appropriate places and issue fresh copy of the order dated 10.04.2015 to the parties.**

7. At this juncture, both sides agreed, that by way of token of appreciation for the yeoman service rendered by the Mediation Centre, High Court, Madras they are prepared to deposit a sum of Rs.10,000/- [Rupees ten thousand only] each to the credit of Mediation Centre, High Court, Madras, within a period of two weeks.

22.06.2015

vj2

B. RAJENDRAN, J

vj2

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