

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P.No.466 of 2014

and

M.P.No.1 of 2014

Mrs.S.Lavanya

... Petitioner

vs.

Mr.R.Ramesh

... Respondent

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the HMOP No.786 of 2014 on the file of the Family Court, Coimbatore and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.M.Baskaran
For Respondent : Mr.S.Muthukrishnan

ORDER

This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife seeking transfer of HMOP No.786 of 2014 on the file of the Family Court, Coimbatore to the Family Court, Chennai, filed by the respondent/husband for dissolution of marriage.

2. Even though the transfer petition has been filed to sort out the problem, this Court directed both the spouses to be present before this Court for conciliation and after conciliation, the parties filed a joint memo of compromise. Both the parties are present and they categorically declared that they are agreeing for dissolving the marriage as the marriage has not been consummated. As per the joint memo of compromise, the respondent paid a sum of Rs.6,20,000/- (Rupees Six Lakh Twenty Thousand only) by demand draft dated 06.04.2015 to the petitioner and the balance amount of Rs.1,30,000/- is adjusted towards gold jewelery lying with the petitioner.

3. No useful purpose will be served by keeping the proceedings initiated by both the spouses before the different forum

especially H.M.O.P.No.786 of 2014 filed by the respondent/husband before the Family Court, Coimbatore, as the parties are living separately for the past two years. As this Court is convinced with the statements made by both the parties and the joint memo of compromise dated 06.04.2015 filed by the respective parties and counter signed by the respective counsel, this Court grants a decree of divorce dissolving the marriage which was solemnized on 18.01.2013 between the petitioner and the respondent. This order has been passed only to avoid prolonging of the family dispute. By this order, the divorce petition filed by the respondent in H.M.O.P.No.786 of 2014 is ordered. Both the parties do not press the allegations made against each other.

4. Similarly C.C.No.7101 of 2014 filed by the petitioner/wife before the V Metropolitan Magistrate Court, Chennai is disposed of by this order and M.C.No.351 of 2014 on the file of the I Additional Family Court, Chennai is also disposed of by this order. The petitioner would also say no objection for quashing the criminal proceedings pending against the respondent and their family members. The joint memo of compromise shall form part of the decree. The transfer C.M.P. is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

The Xerox Copy of Memo of Compromise is Enclosed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

vsm
To

- 1.The Family Court, Chennai.
- 2.The Family Court, Coimbatore.
- 3.The V Metropolitan Magistrate Court, Chennai.
- 4.The Ist Additional Family Court, Chennai.

+1cc to Mr.M.Baskaran, Advocate, S.R.No.18949
+1cc to Mr.S.MuthuKrishnan, Advocate, S.R.No.19058

Tr.C.M.P.No.466 of 2014

TEJ(CO)
CA(26/05/2015)