

V.RAMASUBRAMANIAN,J.

Pursuant to the order passed on 27.01.2015, the parties are present before me. It appears that the arrangement worked out in the said order has gone on smoothly. The Family Court has posted the petition in HMOP No.3635 of 2014 to 26.3.2015. If we strictly go by the terms of the settlement arrived at before the Mediation Centre of the Delhi High Court, which was recorded by the Supreme Court, the curtain should be drawn down on 26.3.2015.

2. But, a small issue has been raised with reference to the academic year. This issue was attempted to be sorted out in the chamber. It appears that the academic year is coming to a close on 10.4.2015. Both parties, due to their past experience, are apprehensive of anything that is done in modification of the order passed by the Supreme Court. While the worry of the petitioner is that the proceedings for divorce may not go through smoothly, the worry of the respondent is that he may not get permanent custody if any alteration is made. The impasse could be broken only if the apprehension on both sides are addressed to. Therefore, I made a suggestion that the petition for divorce could be taken up by the Family Court on 10.4.2015. On the same date, the custody of the child could be handed over to the respondent and the Family Court also could grant divorce. Therefore, the following order is passed:

V.RAMASUBRAMANIAN,J.

(i) the petition HMOP No.3635 of 2014 shall be adjourned by the Principal Family Court, Chennai, from 26.3.2015 to 10.4.2015;

(ii) on 10.4.2015, the petitioner shall take the child to the Family Court; and

(iii) the Principal Family Court, Chennai, shall take up the matter in the Chamber, record evidence and complete the formalities and do two things simultaneously. One is to pass an order of divorce and another is to hand over the custody of the child to the respondent. This will ensure that apprehension of both parties may not become true.

3. Call on 10.4.2015 at 2.00 pm for the parties to report that the custody of the child is handed over to the respondent.

25.3.2015.

Note to Office:

Issue order copy today.

kpl

C.R.P.(PD) No.65 of 2015.