

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 01-04-2015

CORAM:

THE HONOURABLE MR. JUSTICE N. KIRUBAKARAN

Tr.C.M.P.No.653 of 2014
and
M.P.No.1 of 2014

R. Karthikeyan

... Petitioner

Vs.

A. Kiruthika

... Respondent

Transfer petition filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.35 of 2013 pending on the file of the Sub-Court, Namakkal and transfer the same to the Family Court, Chennai.

For petitioner :: Ms. A. Arul Mozhi
For respondent :: Mr. B. Vasudevan

ORDER

The above transfer petition has been filed by the petitioner-husband to transfer the H.M.O.P.No.35 of 2013 pending on the file of the Sub-Court, Namakkal filed by the petitioner himself for dissolution of marriage and transfer the same to the Family Court, Chennai stating that the respondent's father is a leading Advocate in Sub-Court, Namakkal and that, he is facing threat, if he appears before the Court.

2. Both the petitioner as well as the respondent appear before this Court. This Court referred the couple to a Psychiatrist. Even after counselling, there is no possibility of re-union. Parties themselves came for a settlement by which the marriage celebrated as per Hindu rites and customs on 11-02-2008 and registered before the Sub Registrar's Office on 13-02-2008, would be dissolved.

3. A joint memo of compromise signed by the parties, their respective fathers and the learned counsel appearing on their behalf, dated 30-03-2015, is filed before this Court. In Paragraph No.9, the parties have contended that their marriage, solemnized on 11-02-2008, shall be dissolved.

4. In view of the above development, no useful purpose would be achieved by keeping H.M.O.P.No.34 of 2014 on the file of the Sub-Court, Namakkal. Therefore, this Court grants a decree of divorce, dissolving the marriage between the petitioner and the respondent, celebrated on 11-12-2008, at Palani, under Section 13

(b) of the Hindu Marriages Act, 1958, as the parties consented for divorce. The memo of compromise filed by the parties shall form part of the decree.

5. The petition is disposed of, accordingly. No costs.

6. It is made clear that H.M.O.P.No.34 of 2014 pending on the file of the Sub-Court, Namakkal is ordered by the grant of divorce to the parties, on mutual consent, in this petition.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

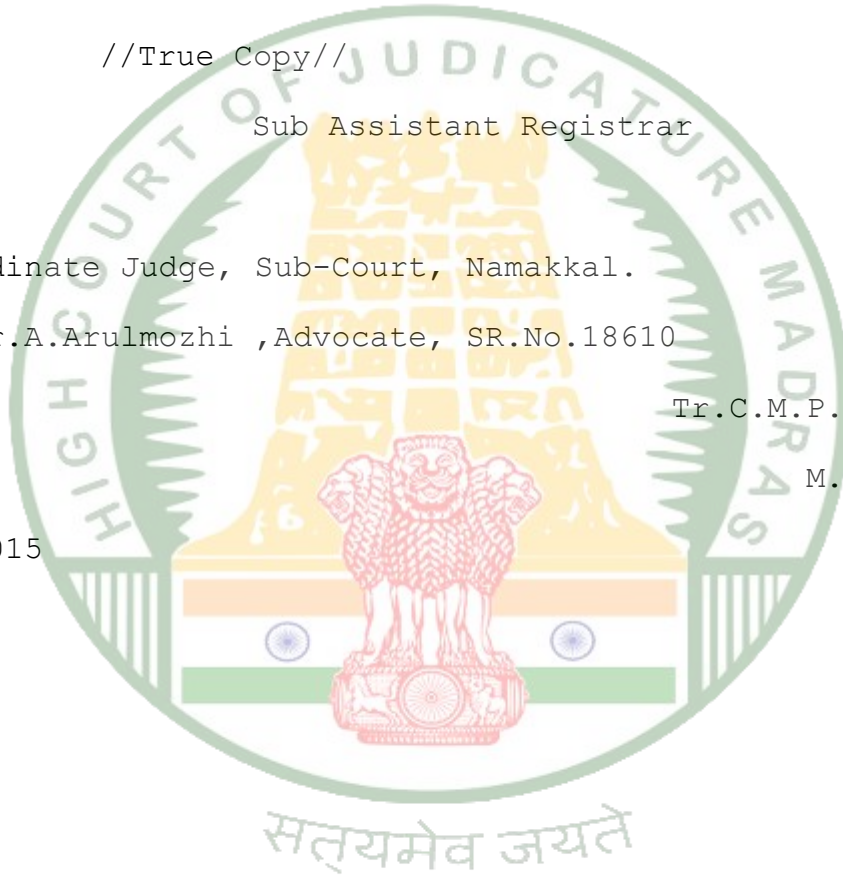
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To

The Subordinate Judge, Sub-Court, Namakkal.

1 cc to Mr.A.Arulmozhi ,Advocate, SR.No.18610

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