

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-08-2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Tr.C.M.P. No. 877 of 2014

K. Suganthi

.. Petitioner

Versus

P. Narayanan @ Suresh

.. Respondent

Petition filed under Section 24 of the CPC praying to withdraw the H.M.O.P. No. 104 of 2014 from the file of II Additional Sub Court, Villupuram and transfer the same to I Additional Family Court, Chennai.

For Petitioner : Ms. C.K. Lavanyavathi
For Respondent : Mr. M. Azhagananth

ORDER

This Transfer Civil Miscellaneous Petition was referred for mediation to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras.

2. A communication dated 20.04.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 15.04.2015 has been received, wherein it is stated as follows:-

"Both the parties appeared before the Centre along with their Counsel. Parties arrived at an amicable settlement and agreed to live together as per the terms in the Memo of Settlement 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 agreement entered into between them, this Transfer Civil Miscellaneous Petition is listed for passing an order in terms of the settlement.

4. As per the Mediation report dated 15.04.2015, the petitioner as well as the respondent have arrived at a compromise and it was reduced in to writing. The terms and conditions of the agreement has been duly signed by the parties in the presence of witnesses which

reads as follows:-

'Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:-

1. Petitioner and Respondent arrived at a settlement after Mediation and decided to reunite and to live together at Chennai

2. Respondent has to demolish and reconstruct his house at Villupuram which is in dilapidated condition, where his parents are also living with him, hence, he seeks two months time i.e., by the end of June 2015 for reunion from the date of this Mediation Agreement. In the meantime, Respondent promises to visit the petitioner and his children in 10 days or 15 days and undertakes to provide maintenance to the Wife and Children and also he will take care of the educational expenses of the children

3. The petitioner and the respondent agree to look for separate home not less than 20 kilometers from the petitioner parental home.

4. The petitioner agrees to get job for the Respondent at Chennai

5. The respondent also gives permission to the petitioner to take up a job, which may assist and support their family."

5. Having regard to the fact that the petitioner as well as the respondent have entered into a memorandum of compromise, in terms of the 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 15.04.2015, this Transfer Civil Miscellaneous Petition is disposed of recording the said compromise. The Mediation Agreement and the report of the Mediation Centre shall form part of this order.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To,

1.The II Additional Subordinate Judge, Villupuram

2.The Presiding Judge

The I Additional Family Court Chennai

+1 cc to Mr.M.Azhagananth Advocate sr.41330

Tr.CMP No. 877 of 2014

aa26/08/2015