IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

CORAM :

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

Tr.CMP No.212 of 2015
and
M.P.No.1 of 2015

T.Virginia Rosario Vinnarasi ... Petitioner/Petitioner

vs.

R.Daniel Shivaraj ... Respondent/Respondent

Prayer :- Transfer Civil Miscellaneous Petitions filed under Section 24 of C.P.C. to withdraw and transfer the IDOP No.153 of 2013 pending on the file of the District Judge, Chengalpet to try at Family Court, Chennai or any competent court at Chennai.

For Petitioner : Mr.J.Selvarajan

For Respondent : Mr.E.Selvaraj

JUDGMENT

The petition has been filed by the wife seeking transfer of IDOP No.153 of 2013 filed by her for divorce on the ground of desertion and cruelty against the respondent/husband before District Court, Chengalpet.

2. The learned counsel for the petitioner would submit that the petitioner is now settled in Chennai alongwith her child and her parents and she is presently working as a teacher in a private school at Chennai and therefore it is very difficult for her to go to Chengalpet to attend the case.

3. Both the parties are present today before this Court. They would submit that they have decided to dissolve the marriage

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solemnized on 05.04.2003 between the petitioner and the respondent and filed a joint compromise memo dated 12.06.2015 signed by both the parties and countersigned by the respective counsel.

4. In view of the categorical statements made by the parties and filing of the joint memo of compromise, there is no necessity to keep the original proceedings before the District Court, Chengalpet. Therefore, this Court, withdraws IDOP No.153 of 2013 on the file of District Court, Chengalpet and grants divorce to the petitioner and the respondent dissolving the marriage solemnized on 05.04.2003 between the petitioner and the respondent under Section 10 (ix) & (x) of the Divorce Act, 1869 invoking Article 227 of the Constitution of India. Moreover, interest of the parties are also served by passing this order.

5. In view of the above said circumstances, IDOP No.153 of 2013 pending on the file of District Court, Chengalpet is disposed of granting the relief sought for therein. The joint memo of compromise shall form part of the order. In view of the disposal of the IDOP No.153 of 2013, the Transfer Civil Miscellaneous Petition is also disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Xerox copy of Memo of Compromise is enclosed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rgr

To

The District Judge,
Chengalpet.

+1cc to Mr.E.Selvaraj, Advocate, S.R.No.28786
+1cc to Mr.J.Selvaraj, Advocate, S.R.No.28738

Tr.CMP No.212 of 2015

LRS(CO)
CA(25/06/2015)

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