

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-10-2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Tr.C.M.P.No.313 of 2015

and

M.P.No.1 of 2015

K. Deepa

.. Petitioner

Versus

K. Kumarasamy

.. Respondent

Petition filed under Section 24 of the CPC praying to withdraw the Petition in HMOP No. 113 of 2014 on the file of the Subordinate Judge, Nagapattinam and to transfer the same to the file of the Sub Court, Poonamallee.

For Petitioner: Mr. A. Rajendra Kumar

For Respondent: Mr. C.P. Palanivelu

ORDER

This Transfer Civil Miscellaneous Petition was referred for mediation to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras for exploring the possibility of a settlement of the dispute between the parties.

2. A communication dated 03.09.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 23.06.2015 has been received, wherein it is stated as follows:-

"Both the parties appeared before the Centre along with their Counsel. Matter has been settled between them as per the terms cited in the Mediation Agreement enclosed. 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 23.06.2015, 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. The petitioner and the respondent are willing to live together (Re-union) in the residence of respondent.

2. The respondent undertakes to withdraw the petition in HMOP No. 113 of 2014 filed against the petitioner for divorce which is pending before the Sub Court, Nagapattinam

3. The petitioner undertakes to withdraw the petition in Tr.CMP No. 313 of 2015 and MP No. 1 of 2015 filed against the respondent pending before the High Court, Madras."

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 23.06.2015, this Transfer Civil Miscellaneous Petition is disposed of. The Mediation Agreement and the report of the Mediation Centre shall form part of this order. Consequently, connected MP No. 1 of 2015 is closed.
Rsh

Sd/-

Assistant Registrar (Judicial)

/True Copy/

Sub-Assistant Registrar

To

1. The Subordinate Judge,
Nagapattinam
2. The Subordinate Judge,
Poonamallee
3. The Assistant Registrar,
Tamilnadu Mediation and
Conciliation Centre,
High Court, Madras - 600 104.

+1 C.C. To MR.A.Rajendra Kumar, Advocate in SR.NO.55467

Tr.CMP No.313 of 2015

TM(CO)

sd 23/11/2015