

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06-08-2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Tr.C.M.P. No. 357 of 2015
and

M.P. No. 1 of 2015

R. Deepa

... Petitioner

Versus

S.A. Ranjith

... Respondent

Petition filed under Section 24 of the CPC praying to withdraw the H.M.O.P. No. 52 of 2015 from the file of the Principal Sub Court, Cuddalore and transfer the same to the file of the Family Court at Salem.

For Petitioner : Mr. V. Sekar
For Respondent : Mr. P. Paramasiva Doss

ORDER

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

2. A communication dated 29.07.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 29.07.2015 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 29.07.2015, 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. Respondent has today returned the ring and chain approximately weighing 2 1/2 Sovereigns to petitioner. Petitioner also returned the chain with Mangalsutra to the respondent. Both parties have accepted the exchange of articles and jewels.

2. The respondent has today paid a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) by demand draft drawn at Kotak Mahindra Bank, Tiruvannamalai Branch, bearing D.D. No. 396844 dated 27.07.2015 in favour of the petitioner, towards marriage expenses and maintenance on 29.07.2015 as full and final settlement.

3. The petitioner in Tr.CMP No. 357 of 2015 and the Respondent in HMOP No. 52 of 2015 on the file of Principal Sub Court, Cuddalore is submitting to the decree of dissolution of marriage without admitting the allegations therein.

4. Both parties agree to withdrawing the allegations in HMOP No. 52 of 2015 on the file of Principal Sub Court, Cuddalore."

5. The parties appeared before this Court along with their respective counsel. In appreciation of the mediation process, the parties have volunteered to deposit a sum of Rs.5,000/- each to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras. The said statement is recorded. The sum of Rs.5,000/- shall be deposited by the petitioner as well as the respondent, totalling a sum of Rs.10,000/-, before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of two weeks from the date of receipt of a copy of this order.

6. 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 29.07.2015, this Transfer Civil Miscellaneous Petition is disposed of. The Mediation Agreement and the report of the Mediation Centre shall form part of this order.

Xerox Copy of Memo of Compromise is Enclosed herewith.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

rsh

To

1.The Principal Sub Court,
Cuddalore.

2.The Presiding Officer,
Family Court, Salem.

3.The Assistant Registrar,
TamilNadu Mediation and Conciliation Centre,
High Court, Madras - 104.

+3cc's to Mr.P.Paramasiva Doss, Advocate, S.R.No.40750
+1cc to Mr.V.Sekar, Advocate, S.R.No.40844

Tr.CMP No. 357 of 2015

NM(CO)
CA(25/08/2015)



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