



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2015

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

TR.CMP.No.41 of 2015

and

M.P.No.1 of 2015

Y.Rubini

... Petitioner

vs

R.Vijayakumar

... Respondent

Prayer: Petition filed under Section 24 of CPC to withdraw the FCOP No.267 of 2014 pending on the file of the Family Court, Salem and to transfer the same to the file of the Subordinate Court, Krishnagiri to be tried along with MOP No.69 of 2014.

For Petitioner : Mr.M.Kumaravelan

For Respondent : Mrs.R.Meenal

ORDER

The above petition has been filed to withdraw FCOP No.267 of 2014 pending on the file of the Family Court, Salem and to transfer the same to the file of the Subordinate Court, Krishnagiri to be tried along with MOP No.69 of 2014.

2. This petition was referred for mediation to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, by the order of this Court, dated 18.03.2015.

3. A communication, dated 31.07.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its Mediation Report, dated 22.07.2015, has been received, and in the said Mediation Report, 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."



4. As the parties have arrived at a settlement in terms of the Mediation Agreement dated 22.07.2015, this petition is listed for passing orders in terms of the said Mediation Agreement.

5. The Mediation Agreement, dated 22.07.2015 signed by the parties and their respective counsel, reads as follows:-

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

1. Both petitioner and respondent are willing for divorce without any claim towards maintenance and articles got exchanged. No claim against each other in future.

2. The respondent herein agrees to withdraw the complaint in HMOP No.267/14 pending before the Family Court, Salem.

3. The petitioner herein agrees to withdraw the complaint in HMOP No.69/2014 pending before the Sub Court, Krishnagiri."

6. In terms of the settlement arrived at between the parties, which is recorded under the Mediation Agreement, dated 22.07.2015 in terms of the Mediation Report, dated 22.07.2015 before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this petition is disposed of, recording the terms of the Mediation Agreement, dated 22.07.2015. The terms of the Mediation Agreement and the Mediation Report, dated 22.07.2015 of the Mediation Centre shall form part of this order. Consequently, the connected miscellaneous petition is closed.

7. In view of the settlement arrived at between the parties, as a token of appreciation, the petitioner and the respondent volunteered to pay a sum of Rs.5,000/- [Rupees five thousand only] each to the Mediation and Conciliation Centre, High Court, Madras and the same shall be paid within a period of four weeks from the date of receipt of a copy of this order.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vj2



To

1. The Judge,
Family Court,
Salem
2. The Subordinate Judge,
Krishnagiri
3. The Assistant Registrar,
Mediation and Conciliation Centre,
High Court, Madras.

+1cc to Mr.M.Kumaravelan, Advocate, S.R.No.42874
+1cc to M/s.R.Meenal, Advocate, S.R.No.42755

TR CMP.No.41 of 2015

BVR(CO)
CA(01/09/2015)