

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-7-2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND
THE HON'BLE MR.JUSTICE M.VENUGOPAL

C.M.A. No.1972 of 2012
C.R.P.No.2312 of 2012

B. Udhayakumar ... Appellant in CMA & Petitioner in CRP

Vs.

M. Vijayalakshmi ... Respondent in CMA & CRP

CMA No.1972/2012: Civil Miscellaneous Appeal is filed under Section 19 of the Family Courts Act against the fair and decretal order dated 5.3.2012 made in HMOP No.132 of 2008 on the file of the Additional District Judge, Fast Track Court No.1, Poonamallee.

CRP No.2312/2012: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decretal order dated 5.3.2012 made in I.A.No.6 of 2011 in HMOP No.132 of 2008 on the file of the Additional District Court, Fast Track Court No.1, Poonamallee.

For Appellant/Petitioner : Mr.S.M.Kirubanandam

For Respondent : Mr.K.Krishnan
for Mr.K.Dhananjayan

COMMON JUDGMENT

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The appellant/petitioner and the respondent are present in the Court. The parents of the appellant/petitioner M/s.C.Bakthavatchalu and B.Sulochana and the parents of the respondent M/s.D.Madhavan and R.Padmavathy are also present in the Court.

2. The instant revision petition is filed questioning the legality of the order dated 5.3.2012 made in I.A.No.6 of 2011 in HMOP No.132 of 2008, and the Civil Miscellaneous Appeal is preferred challenging the order dated 5.3.2012 made in HMOP No.132 of 2008.

3. Pending these matters, at the request of the learned counsel for the parties, the matters were referred to the mediation centre. The dispute between the parties has been settled as per the Mediation Agreement dated 20th February, 2014, which reads thus:

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

1. The Petitioner agreed for a sum of Rs.3,25,000/- (Rupees Three Lakhs and twenty five thousand only) towards full and final settlement.

2. The petitioner paid a sum of Rs.2,70,000/- (Rupees two lakhs and seventy thousand only) to the respondent on 21.01.2014 by cash and the balance amount of Rs.35,000/- by way of Demand Draft No.008940, dated 20.02.2014 and Rs.20,000/- (Rupees twenty thousand only) by way of cash paid today to the respondent and the respondent acknowledges the receipt of the same.

3. The Respondent returned the Original R.C.Book No.TN 20 L 1495 to the petitioner and the R.C.Book stands in the name of Mr.Rajendren relative to the Respondent and the Petitioner undertakes to transfer in his name.

4. The Respondent agrees to withdraw the complaint on the Appeal against in HMOP No.132/2008 on the file of Additional District Judge, (Fast Track Court-No.I), Poonamallee (in CMA No.1972/2012).

5. Both parties agree that they have no further claim against each other."

The said terms of agreement has been signed both by the parties and their respective counsel.

4. The learned counsel for the petitioner seeks liberty to take appropriate steps for deletion of his name to be substituted by parents' name.

5. The Civil Miscellaneous Appeal and the Civil Revision petition are disposed of on the above terms, agreed between the parties. Petitioner is at liberty to take appropriate steps for deletion of his name and for substituting parents' name, if so advised.

Xerox copy of Mediation Agreement is enclosed herewith.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vr

To

- 1.The Additional District Judge,
Fast Track Court No.1,
Poonamallee.
- 2.The Assistant Registrar,
TamilNadu Mediation and Conciliation Centre,
High Court, Madras.

Copy To

The Section Officer,
V.R.Section,
High Court, Madras.

+1cc to Mr.S.N.Kirubanandam, Advocate, S.R.No.38373
+1cc to Mr.K.Dhananjayan, Advocate, S.R.No.38601

C.M.A.No.1972 of 2012
&
C.R.P.No.2312 of 2012

JSV(CO)
CA(10/08/2015)

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