

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2015

CORAM

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Application No. 2486 of 2013

in

O.P. No. 293 of 2013

S. Swaminathan

.. Applicant

Versus

S. Deepa

.. Respondent

Application filed under Section 25 of the Guardians and Wards Act, 1890 praying to grant Visiting Rights of the Minor S. Tharunniaa Lakshmi, aged 9 years, presently residing with the respondent at No.AB-11, Arabi Tarangini Apartment, Alacrity Flats, Mugappair West, Chennai - 600 058 in the custody of the respondent herein on Saturday and Sunday of every week, in favour of the petitioner, pending disposal of the Original Petition

For Applicant : Mr. R. Abdul Mubeen
For Respondent : Mr. J. Saravanavel

ORDER

This application was referred to Tamil Nadu Mediation and Conciliation Centre, High Court, Madras to explore the possibility of settlement of the dispute between the parties..

2. A communication dated 10.11.2014 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its Mediation Interim report dated 03.11.2014 has been received, wherein it is stated as follows:-

"Under the Interim Agreement dated 04.06.2014, the parties had agreed to certain terms in respect of the visiting rights for the minor Baby. Tharunyaa Lakshmi. The parties now report that the arrangement commenced only from 28.09.2014. Hence the three months period will be completed in December 2014. At the request of the parties the proceedings are adjourned to 23.01.2015. In the meantime, the interim Agreement is forwarded to the Hon'ble Court"

3. The Mediation Agreement dated 03.11.2014 recorded before the Tamil Nadu Mediation and Conciliation Centre, signed by both sides along with 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. Petitioner/father will pick up the child every alternate Sunday at 9 am from the respondent/mother's house, take the child for the abacus classes between 10.00 am to 12.00 noon

2. After the class, petitioner will take the child to his house and keep her till the evening and drop her back to the respondent's house at 7.30 pm.

3. The above arrangement shall continue for a period of three months after which either party shall have the right to review the arrangement by approaching the Court .

4. Today, when the application is taken up, counsel for both the parties, in appreciation of the mediation work carried out by the Mediation Centre have voluntarily consented to pay a sum of Rs.5,000/- each to the Tamil Nadu Mediation and Conciliation Centre attached to this Court. The said statement of the counsel for both sides is recorded. The applicant as well as the respondent shall, as agreed by them voluntarily, pay a sum of Rs.5,000/- directly to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

5. The application is ordered on the above terms. The Mediation Agreement dated 04.06.2014 shall form part and parcel of this order.

08.10.2015

rsh

B. RAJENDRAN, J

rsh

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