

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04-06-2015

Coram

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

Tr.C.M.P. No. 712 of 2014

and

M.P. No. 1 of 2014

N. Radhika

...Petitioner/Respondent

Versus

R. Arvind

...Respondent/Petitioner

Petition filed under Section 24 of the CPC praying to transfer H.M.O.P. No. 67 of 2014 pending on the file of Subordinate Judge, Ranipet, Vellore District to be filed alongwith HMOP No.2089/2014 on the file of III Additional Family Court, Chennai. [Prayer amended under order of Court dated 21.11.2014 made in M.P.No.2 of 2014]

For Petitioners : Mr. R. Muthamizh

For Respondent : Mr. K. Moorthy

ORDER

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

2. A communication dated 02.06.2015 of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its report dated 20.04.2015 has been received, wherein it is stated as follows:-

"Petitioner and Respondent appeared before the Centre along with their counsel. Parties arrived at an amicable settlement as per the terms in the Mediation Agreement enclosed herewith. Hence the matter is sent back to the Honourable Court."

3. As the parties have arrived at a settlement in terms of the agreement entered into between them, this Criminal Original Petition is listed for passing an order in terms of the settlement.

4. The Memorandum of Compromise dated 20.04.2015 has been entered into between the petitioners and the defacto complainant. The memorandum of compromise has been duly signed by the parties in the presence of witnesses which reads as follows:-

'1. Petitioner and Respondent settle the dispute amicably between them before the Mediation Centre.

2. Petitioner/Wife and the Respondent/Husband has agrees to file a Mutual Consent Petition before the Family Court for divorce on the ground of incompatibility.

3. Petitioner agrees to receive 10 sovereigns of jewels for her present, past and future maintenance and no other claims towards the respondent.

4. Respondent/Husband agrees to deposit a sum of Rs.11,00,000/- (Rupees Eleven Lakhs Only) in the name of minor child A. Lohitha (18.08.2012) for her future settlement and education expenses and no other claim which was accepted by the petitioner/wife on or before final hearing of the 13-B Petition.

5. On the date of filing the 13B Petition, the respondent agrees to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs Only) in any of the nationalised bank in the name of the Minor child and the remaining amount of Rs.8,00,000/- (Rupees Eight Lakhs Only) will be deposited before final hearing of the petition.

6. The petitioner/wife is at liberty to receive the accrued interest from the deposited amount for the maintenance of the minor child.

7. The custody of the child namely A. Lohitha remains with the petitioner/mother. Both parties agreed to withdraw all the cases/ complaint, if any, before the final hearing of the 13B petition. Except the above claims no claims between the petitioner and respondent.

5. During the course of hearing, the learned counsel appearing for both sides, in appreciation of the medication process, voluntarily agreed to deposit a sum of Rs.15,000/- each to the credit of the Tamil Nadu Mediation and Conciliation Centre attached to this Court. The said statement is recorded and such payment shall be made as expeditiously as possible, preferably within a period of three 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 settled the dispute by entering into a memorandum of compromise, this Court is inclined to record such

compromise arrived at between the parties. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of recording the said compromise dated 20.04.2015. The Mediation Agreement and the report of the Mediation Centre shall form part of this order.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

rsh

To

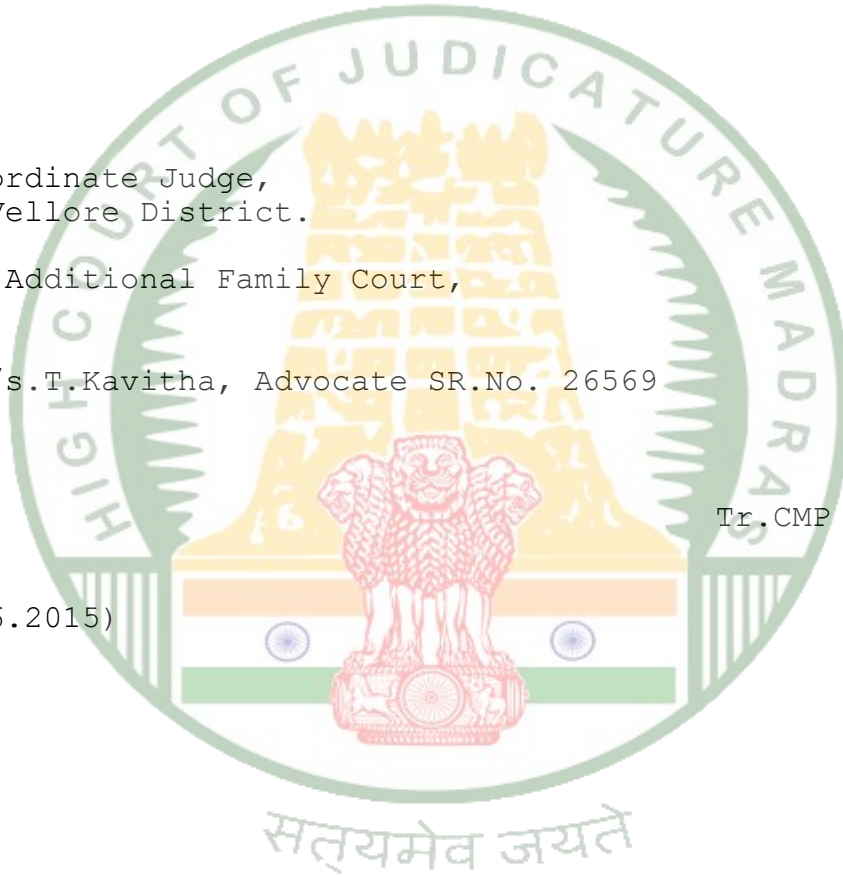
1.The Subordinate Judge,
Ranipet, Vellore District.

2.The III Additional Family Court,
Chennai.

1 CC to M/s.T.Kavitha, Advocate SR.No. 26569

Tr.CMP No. 712 of 2014

AK (CO)
PSI (23.06.2015)



WEB COPY