



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2017

Coram:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

Tr.C.M.P(MD)No.558 of 2016  
and  
C.M.P(MD)No.11868 of 2016

V.Sonia

.. Petitioner/Respondent

.vs.

R.M.Karthikeyan

.. Respondent/Petitioner

**Prayer:-** This petition is filed under Section 24 of C.P.C to withdraw the H.M.O.P.No.274 of 2016 from the file of the Family Court, Madurai and transfer the same to the Subordinate Court at Tambaram.

For Petitioner : Mr.S.Raja

For Respondent : Mr.B.Thanga Aravindh

**ORDER**

This Transfer Civil Miscellaneous Petition has been filed by the petitioner/wife against the respondent/husband to transfer H.M.O.P.No.274 of 2016 on the file of the Family Court, Madurai, filed by the respondent seeking restitution of conjugal rights, to the file of the Sub-Court, Tambaram, as the petitioner is residing at Medavakkam, Chennai.

2. The petitioner and the respondent got married on 11.09.2014 and they are blessed with a child named Sevvian. However, thereafter dispute arose between the spouses and they are living separately. Therefore, the respondent filed the above H.M.O.P.No.274 of 2016 on the file of the Family Court, Madurai, for restitution of conjugal rights. Now, the petitioner has filed the present petition seeking to transfer the said H.M.O.P to the file of the Subordinate Court, Tambaram.

3. Considering the young age of the parties, this Court directed both the parties to present before this Court. They have appeared before the Court and thereafter with the active counselling made by the respective counsels, the parties had agreed to settle the dispute among themselves and they have decided to get re-united.



4. When the matter is called today, both the parties appeared and categorically stated that they have decided to get re-united. In this regard, they have also filed a joint compromise memo signed by both the parties counter signed by the respective counsels.

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5. Taking into consideration the submissions made by the parties before this Court and the memo of compromise, this Court is of the view that no useful purpose would be served by keeping H.M.O.P.No.274 of 2016 filed under Section 9 of the Hindu Marriages Act, 1955, before the Family Court, Madurai.

6. Therefore, this Court exercising its power under Article 227 of the Constitution of India, *suo motu* withdraws H.M.O.P.No.274 of 2016 and disposes the same as per the memo of compromise as they decided to get re-united. The compromise memo shall form part of the records.

Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

**ENCL: XEROX COPY OF JOINT COMPROMISE MEMO ENCLOSED.**

1.The Judge, Family Court, Madurai.

2.The Record Keeper,  
Vernacular Section,  
Madurai Bench of Madras High Court,  
Madurai.

+1 cc to MR.B.THANGA ARAVINDH, ADVOCATE, SR No. 8193

+1 cc to MR.S.RAJA, ADVOCATE, SR No. 8286

PM

CSL/BS/16.03.2017 : 2P/5C

**Tr.CMP(MD)No.558 of 2016**  
**14.02.2017**