

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2018

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.407 of 2017

and

C.M.P.No.8572 of 2017

K.Suguna ... Petitioner/Respondent

(cause title accepted vide order of
Court dated 19.04.2017 by VMVJ,
made in C.M.P.No.6583 of 2017
in Tr.C.M.P.Sr.No.22716 of 2017)

Vs.

M.Karuppusamy ... Respondent/Petitioner

Prayer: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw H.M.O.P.No.251 of 2016 from the file of the Family Court, Coimbatore and to transfer the same to the file of the Subordinate Court, Bhavani, Erode District.

For Petitioner : Mr.R.Prabakar
For Respondent : Mr.P.Nagaraju

O R D E R

The Tr.C.M.P is filed by the petitioner-wife seeking transfer of H.M.O.P.No.251 of 2016 pending on the file of the Family Court, Coimbatore to the file of the Subordinate Court, Bhavani, Erode District. The respondent-husband filed H.M.O.P.No.251 of 2016 under Section 13(i-a) (i-b) of the Hindu Marriage Act on the file of the Family Court, Coimbatore for dissolution of marriage solemnized between the petitioner and respondent on 03.11.2003.

2. By order of this Court dated 24.11.2017, the matter was referred to the Mediation Centre, High Court, Madras. Before the Mediation Centre, the parties have resolved their disputes and had entered into a Joint Memorandum of Compromise on 11.12.2017. The petitioner-wife and the respondent-husband signed in the said Joint Memorandum of Compromise. The Joint Memorandum of Compromise has also been signed by the learned counsel for the petitioner and the respondent.

3. The terms of memorandum of compromise are recorded, which is as follows:

"It is submitted that the petitioner/wife filed this transfer petition to transfer the H.M.O.P.No.251 of 2016 filed by the respondent/husband from the file of Family Court, Coimbatore to Subordinate Court, Bhavani, Erode District. Pending transfer petition, the matter was referred to Mediation Centre. In the mean time, the petitioner and respondent have amicably settled their disputes they want to joint and lead a happy married life with their daughter. Hence, they have decided to withdraw cases against each other.

Accordingly, the petitioner/wife undertake to withdraw the DV case No.16 of 2016 on the file of Judicial Magistrate Court, Bhavani. The respondent/husband undertake to withdraw H.M.O.P.No.251 of 2016 on the file of Family Court, Coimbatore. The Joint Compromise Memo may be recorded in the above terms."

4. In view of the above Mediation Settlement Agreement arrived at between the parties, the Transfer Civil Miscellaneous Petition is disposed of. The above said terms of agreement are recorded. The Joint Memorandum of Compromise dated 11.12.2017 and the Mediation Report dated 11.12.2017 of the Mediation Centre, shall form part of the order. No costs. Consequently, connected miscellaneous petition is closed.

***Here enclose xerox copy of
Joint memorandum of compromise**

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Judge,
Family Court, Coimbatore

2. The Subordinate Judge, Bhavani, Erode District.

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