

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2018

CORAM :

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.9 of 2017

and

C.M.P.No.335 of 2017

Stella Mary Aldridge .... Petitioner/Respondent

versus

John Vianni .... Respondent/Petitioner

Prayer: The transfer petition is filed under Section 24 of C.P.C. praying to withdraw and transfer I.D.O.P.No.167 of 2016 from the file of the Hon'ble Family Judge, Chegalpet to the Family Court at Chennai.

For petitioner : Ms.Sheila Jayaprakash

For Respondent : Mr.K.Elango

O R D E R

Earlier, this Court, on 31.10.2017 had directed the matter to be placed before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras. Accordingly, the parties have appeared before the Mediation Centre, Chennai, resolved their disputes and settled between them as per the Memorandum of Compromise, signed by both the parties and their respective counsels dated 29.01.2018.

2. The Memorandum of Compromise is taken on record, which read as follows:

1. The marriage solemnized between the petitioner and respondent on 07.07.2012 at Fathima Church, Tambaram under Christian rites and custom will be dissolved by a decree of divorce by mutual consent.

2. The petitioner and respondent agree that a petition for divorce will be filed within a period of three weeks from the date of this order before the District Court at Chinglepet.

3. The custody of the minor daughter Suzane Jovi born on 10.06.2013 will remain with the petitioner/mother.

4. The respondent/father gives up his rights for visitation or access to the child and undertakes not to file any petition or claim for the same in future.

5. The respondent will pay the petitioner a sum of Rs.15 lakhs in the form of a Demand Draft in the name of the minor child Suzane Jovi. The petitioner will put the said sum in a Fixed Deposit in a Nationalised Bank and the petitioner will be the Guardian of the minor for the said account and will be entitled to collect and use the interest alone for the maintenance and upkeep of the child. The minor child will be entitled to the principle amount in the Fixed Deposit on attaining the age of 23 years. Rs.15 lakhs in 2 instalments. Rs.7.5 lakhs at the time of filing the petition under Section 10A Divorce Act and Rs.7.5 lakhs at time of passing the decree.

6. The petitioner gives up all claims for maintenance past, present or future and will not claim any maintenance for herself or any further maintenance for the minor child from the respondent or members of his family.

7. The petitioner and respondent have each taken back their own articles and jewelry and will not file any further suit, petition or claim for return of any items or for the enforcement of any right arising out of the said marriage.

The above said terms of compromise are recorded.

3. Heard the learned counsels appearing on behalf of the parties.

4. In view of the above settlement arrived at between the parties, the Transfer Civil Miscellaneous Petition is disposed of in terms of the Memorandum of Compromise. The said Memorandum of Compromise shall form part and parcel of the order. No costs. Consequently, connected miscellaneous petition is closed.

\*Enclosed Xerox copy of the Memo of Compromise.

Sd/-  
Asst.Registrar (CS VI )

/true copy/

Sub Asst. Registrar

rsi

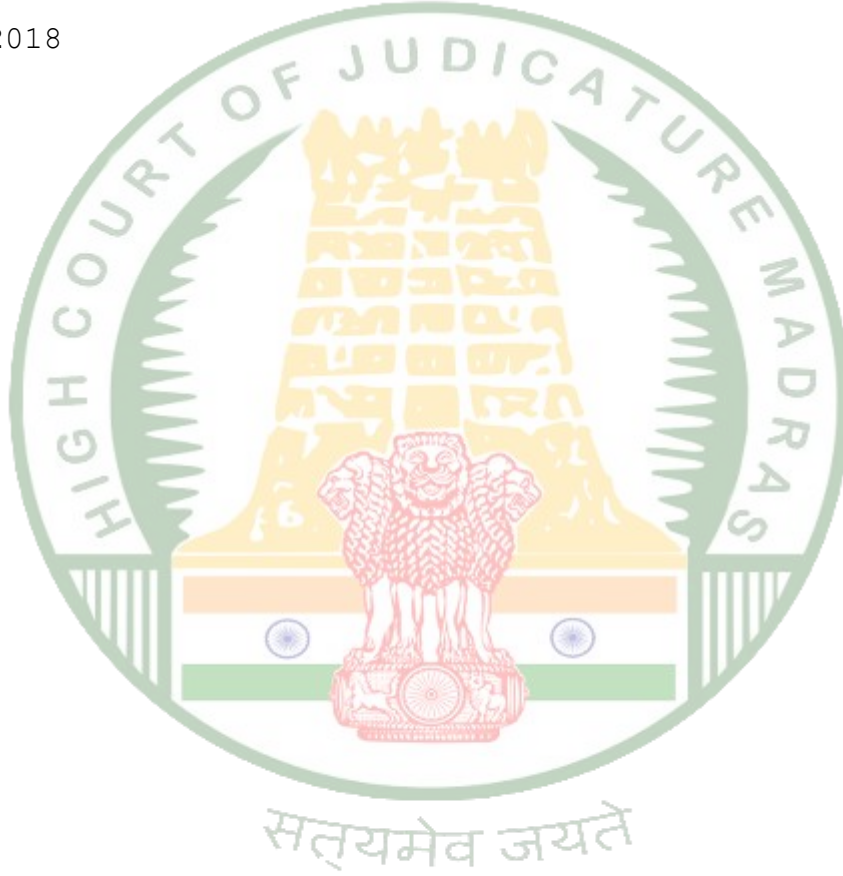
To

1. The Family Judge,  
Chengalpet.

+1cc to Mr.K.Elango, Advocate sr.no.16038

Tr.C.M.P.No.9 of 2017  
and  
C.M.P.No.335 of 2017

pvs (co)  
nr 05/02/2018



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