

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2018

CORAM:

THE HON'BLE JUSTICE C.V.KARTHIKEYAN

O.P. No.617 of 2015

Mrs. Thara Bai

..

Petitioner

..Vs..

S.Megendra Shankar

...

Respondent

For Petitioner : M/s.M.Kamalakannan

For Respondent : M/s.A. Senthil Manohar

PRAYER : Petition has been filed Under Section 3, 7 to 10 and 25 of Guardians and Wards Act 1890 and under Order XXI Rules 2 and 3 O.S.Rules, (a). That the petitioner Mrs.Thara Bai may be appointed as the guardian of the person of the minor namely the above named minor M.Harini (b). To direct the respondent to hand over the custody of the minor child M.Harini, (c). For such other relief as this Hon'ble Court may deem fit and proper in the circumstances of the case.

ORDER

The petitioner is the maternal grand mother of the child. The respondent is the father. The mother of the child is dead. This Original Petition has been filed seeking custody of the grand child M. Harini. Very fortunately when the parties were referred to the Mediation and Conciliation Centre, they had compromised the issues and a Memo of Compromise has been filed today.

2 Both the petitioner and the respondent are present today. They have signed all the pages in the Compromise Memo in the presence of two witnesses namely L.Venkatesh and K.Jayakaran. The respondent had agreed that the custody of the child shall be given to the petitioner/Grandmother. The respondent/father shall have visiting right. He is also under obligation to provide mediclaim, necessary financial support and cooperate in providing necessary signature in documents that may be required for the child for her educational purpose and any other connected matter.

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

" 1 The custody of the minor Ms.M.Harini will be with the PARTY OF THE FIRST PART and THE PARTY OF THE SECOND PART gives his no objection and undertakes that in future also the PARTY OF THE SECOND PART will not object the same in anyway.

2 The PARTY OF THE SECOND PART also agrees to provide mediclaim policy to the said Ms.M.Harini till the minor becomes major and gets into a independent job or married.

3 The PARTY OF THE SECOND PART also agrees to provide necessary financial support to the said Ms.M.Harini for her marriage.

4 *The PARTY OF THE FIRST PART agrees to permit the PARTY OF THE SECOND PART for seeking the minor child Ms.M.Harini as and when due notice is given to the PART OF THE SECOND PART.*

5 *The PARTY OF THE SECOND PART do hereby agree to cooperate with the PARTY OF THE FIRST PART in providing necessary signatures, documents that may be required for the said minor child Ms.M.Harini for her educations or for any connected matters.*

6 *The PARTY OF THE SECOND PART do hereby gives no objection for the O.P.No.617 of 2015 being allowed on the above terms.*

7 *Both the PARTY OF THE FIRST PART and the PARTY OF THE SECOND PART do hereby state that this understanding is being entered on their own wish and without any coercion or any undue influence."*

4 Recording the Memo of Compromise, the Original Petition is allowed in terms of the Memo of Compromise.

5 This Court places its deep appreciation to the assistance provided by Mr.M.Kamalakannan, learned counsel for the petitioner and Mr. A. Senthil Manohar, learned counsel for the respondent who had advised

their clients enter into the Memo of Compromise. This Court also places its
 deep appreciation to the service rendered by the Mediator Mr.B.Ullasavelan,
 Advocate.

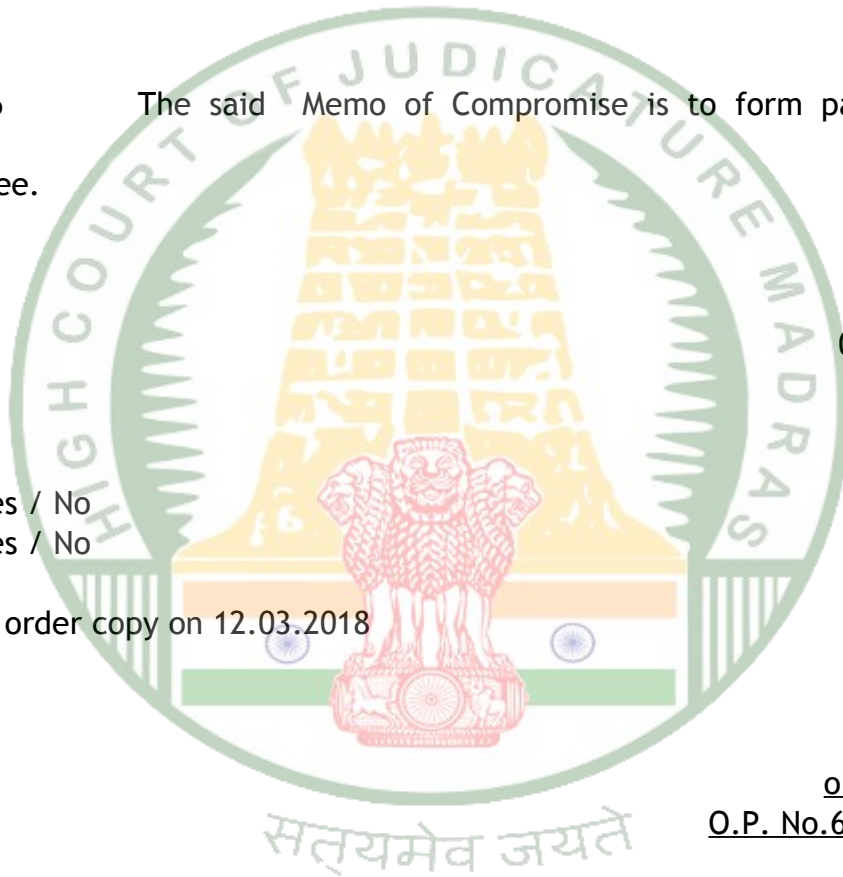
6 The said Memo of Compromise is to form part of the
 order/decre.

08.03.2018

Index : Yes / No
 Web : Yes / No

Note: Issue order copy on 12.03.2018

rpl



order in
O.P. No.617 of 2015

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