

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S. RAMESH

C.R.P.(PD) No.1716 of 2017

and

C.M.P.Nos. 7911 & 8117 of 2017

Praveen Kumar
 Represented by Power Agent
 and father of Mr.Shanmugasundaram
 (Cause title accepted vide court
 order dated 05.05.2017 in
 C.M.P. No. 7912 of 2017 in
 C.R.P.PD.SR.No.37461 of 2017) ...Petitioner

Vs.

MagheswariRespondent

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to direct the III Additional Family Court to forthwith dispense with the appearance of the petitioner in H.M.O.P.No.115 of 2017 on the III Additional Family Court, Chennai for a period of 5 months.

For Petitioner : Mr.S.Mukund for
 Saravanabhauman Asso

For Respondent :Mr. S.R.Rajagopal
 For Mr. A. Shaik Pareeth

ORDER

The present Civil Revision Petition has been filed seeking a direction to the learned III Additional Family Court Judge to dispense with the appearance of the petitioner in H.M.O.P No.115 of 2017, for a stipulated

time period.

2. Pending the Civil Revision Petition, the parties have amicably resolved the dispute among themselves whereby, the respondent does not have any objection if the petitioner, who is presently residing in U.S.A appears through his Power of Attorney viz., his father for conducting the divorce proceedings on his behalf. The respondent also further agreed to have the proceedings in H.M.O.P.No.115 of 2017 conducted through video conferencing. Apart from the aforesaid understanding, both the parties have also withdrawn the allegations against each of them and his wife has given up the right of claim to maintenance and this effect, a joint memorandum of compromise dated 01.11.2018 has also been filed before this Court. The respondent/wife, as well as the father of the petitioner herein/ Power of Attorney, are personally present before this Court.

3. In view of the Joint Memorandum of Compromise and also taking into account the amicable settlement arrived between the parties, the petitioner herein is permitted to have the further proceedings in H.M.O.P.No.115 of 2018 conducted through video conferencing wherein, the petitioner/husband could also be represented before the Family Court through his Power Agent, namely, his father.

4. Recording the Joint Memorandum of Compromise dated 01.11.2018, the Civil Revision Petition stands ordered on the following terms:

- (i) The proceedings in H.M.O.P.No.115 of 2017, wherever required, shall be conducted through video conferencing to enable the petitioner/husband to participate in the proceedings.
- (ii) Whenever required, the petitioner herein shall be permitted to be represented by his Power Agent namely Mr.Shanmugasundaram/his father.
- (iii) The petitioner/Power Agent namely Mr.Shanmugasundaram is granted liberty to file an application under Section 13 (b) of Hindu Marriage Act or any other incidental applications/memos for the purpose of proceeding in H.M.O.P. also.

Consequently connected miscellaneous petitions are closed. No costs.

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02.11.2018

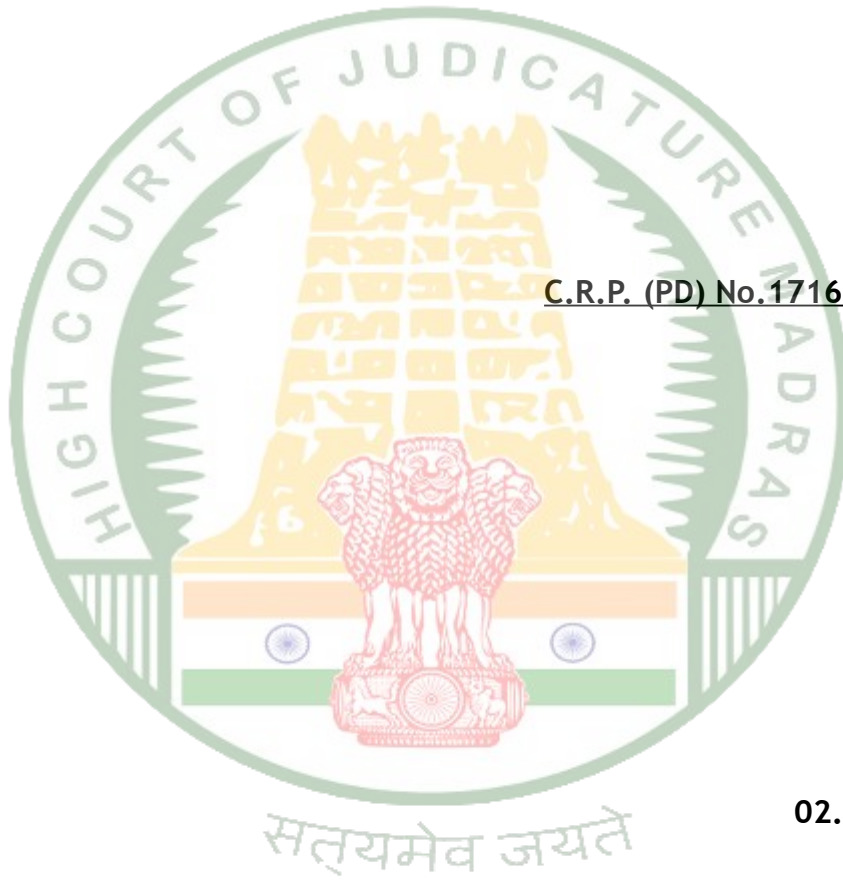
Index: Yes/No
Internet: Yes/No
vsn/dh

To

The III Additional Family Court, Chennai

M.S.RAMESH. J.,

vsn/dh



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