



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Tr.C.M.P. (MD) No.187 of 2018 and
C.M.P. (MD) No.4524 of 2018

S.Keerthana ...Petitioner / Respondent

/Vs./

C.Santhakumar ...Respondent / Petitioner

Prayer: Petition - filed under Section 24 of the Civil Procedure Code, to withdraw the H.M.O.P.No.225 of 2017 on the file of the Family Court, Madurai, and transfer the same to the file of the Sub Court, Ramanathapuram.

For Petitioner : Mr.S.Satheeshkumar
For Respondent : Mr.R.Ramachandran

ORDER

The petitioner herein got married to the respondent on 04.06.2015 at ABC Mohaideen Mahal, Ramanathapuram, as per the Hindu rites and customs. The marital relationship between the parties had come under strain. That led to institution of H.M.O.P.No.225 of 2017 by the respondent herein before the Family Judge, Madurai, under Section 13(1)(1a) of the Hindu Marriage Act, 1955, for divorce. Seeking transfer of H.M.O.P.No.225 of 2017 from the Family Court, Madurai to Sub Court, Ramanathapuram, this Transfer Civil Miscellaneous Petition has been filed.

2. When the matter was taken up for hearing, the learned counsel on either side, submitted that the parties have amicably resolved the disputes between themselves and decided to go their separate ways. They also filed a joint memo of compromise dated 20.09.2018 before this Court. The said joint compromise memo is not only signed by the parties, but also the learned counsel on either side. The parents of the parties have also affixed their signatures. Both the petitioner namely, Keerthana and the respondent namely, Santhakumar are present before me in person. The respondent handed over a demand draft bearing No.014276 dated 19.09.2018 drawn on IDBI Bank in favour of the petitioner herein to the petitioner. It is for a sum of Rs.20,00,000/- [Rupees twenty lakhs only]. The petitioner received the said demand draft for the said sum of Rs.20,00,000/- in my presence. The receipt of

the demand draft by the petitioner is also recorded.

3. It is also agreed that all the articles belonging to the petitioner have been returned by the respondent. The parties have also agreed that they have no further claims against each other. The petitioner has also undertaken to withdraw her complaint given against the respondent herein in this regard. CrI.O.P.(MD) No.10168 of 2017 has been filed by brother-in-law of the respondent herein. The petitioner undertakes to extend her co-operation for quashing of the said criminal case.

4. Since the petitioner is working in a Software Company, Chennai, and the respondent is working in Singapore, this Court is of the view that it is not necessary to relegate the parties to go before the Family Court, Madurai, for securing divorce by mutual consent. It is evident that the marriage between the parties has irretrievably broken down. The respondent, who is present before me in person, is withdrawing all the allegations levelled against the petitioner herein in H.M.O.P.No.225 of 2017. Accordingly, H.M.O.P.No.225 of 2017 is withdrawn from the file of the Family Court, Madurai, and the same is converted into a petition under Section 13 B of the Hindu Marriage Act, 1955. The marriage between the parties stands dissolved by mutual consent. Accordingly, this Transfer Civil Miscellaneous Petition and H.M.O.P.No.225 of 2017 stand disposed of. No costs. The Joint compromise memo dated 20.09.2018 shall form part of the record. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

Encl.: Xerox copy of Compromise Memo

To

The Judge Family Court, Madurai.

+ 1 CC TO Mr.S.SATHEESH KUMAR, ADVOCATE IN SR No. 85797
+ 1 CC TO Mr.S.ARIVALAGAN, ADVOCATE IN SR No. 85851

SM

TE/SKN/SAR-2 : 03/10/2018 : 2P/4C

Order made in
Tr.C.M.P. (MD) No.187 of 2018
20.09.2018