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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrIOP(MD)No.21563 of 2016

and

CrIIMP(MD)No.11066 of 2016

K.Raja

: Petitioner

Vs.

R.Kanaga Banu

: Respondent

PRAYER: Criminal Original Petition is filed under Section 407 Cr.P.C., to withdraw and transfer the M.C.No.44 of 2016 from the file of learned Family Court at Tirunelveli to the file of the Sub-Court Tambaram or any other competent Court at Tambaram.

For Petitioners : Mr.S.Namasivayam

For Respondent : Mr.Jawahar Ravindran

ORDER

The learned Counsel for the petitioner brought to the notice of the Court, the compromise memo that was filed before the Court below in MC No.44 of 2016, which was signed by both parties. The compromise memo was filed by the parties, who are husband and wife in HMOP No.78 of 2017 as well as in MC No.44 of 2016. Pursuant to the compromise, the petitioner had also paid a sum of Rupees Ten Lakhs in favour of the respondent.

2.Inspite of entering into a compromise with the petitioner and also receiving a sum of Rupees Ten Lakhs from the petitioner, the respondent has not chosen to withdraw the petition pending in MC No.44 of 2011.

3.This Court is of the considered view that no useful purpose will be served in keeping the MC proceedings pending before the Court below.

4.In view of the above, the proceedings in MC No.44 of 2016 on the file of the Family Court, Tirunelveli is hereby quashed. Accordingly, the Criminal Original Petition is disposed of. Consequently, CrIIMP(MD)No.11066 of 2016 is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/



To

The Judge, Family Court
Tirunelveli.

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+1CC to Mr.S.Namasivayam, Advocate, SR.No.89555

Cr1OP(MD)No.21563 of 2016
and
Cr1MP(MD)No.11066 of 2016
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