

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

TR.CMP.NO.421 OF 2015
AND MP NO.1 OF 2015

A.Gowthami ... Petitioner

Vs.

S.Sriram Kumar ... Respondent

PRAYER: Petition filed under Section 24 of the Civil Procedure Code to withdraw HMOP No.1082 of 2014 on the file of the Additional Family Court Judge, Coimbatore and to transfer HMOP No.1082 of 2014 to the Additional Family Court Judge, Tirupur.

For Petitioner : Mr.N.Rajan
for Mr.R.Annamalai

For Respondent : Dr.C.Ravichandran

O R D E R

This Transfer Civil Miscellaneous Petition is filed by the petitioner seeking to withdraw HMOP No.1082 of 2014 from the file of Additional Family Court, Coimbatore and transfer the same to Additional Family Court, Tiruppur.

2. This Court by its order dated 30.10.2018 recorded the agreement arrived between the parties. As per the agreement, the respondent / husband agreed to pay a sum of Rs.20,00,000/- (Rupees Twenty Lakhs Only) towards full and final settlement of all claims viz., past, present and future to the petitioner / wife. On such payment, the petitioner / wife agreed to withdraw the criminal case pending on the file of XXV Metropolitan Magistrate Court, Hyderabad in C.C.No.649 of 2014 and also consented for grant of divorce in HMOP No.1082 of 2014 pending on the file of Additional Family Court, Coimbatore.

3. Pursuant to the agreement, the respondent / husband, in compliance with the directions of this Court dated 30.10.2018, taken two demand drafts bearing nos.506045 dated 22.01.2019 and 724473 dated 05.02.2019 respectively, for a sum of

Rs.10,00,000/- EACH, drawn on Citi Bank, in favour of the petitioner / wife and entrusted the same to his counsel.

4. When the matter is taken up for hearing today, learned counsel for the respondent / husband handed over the demand drafts to the petitioner / wife. She has also acknowledged the receipt of the same, which forms part of the record of this court. It only remains to order divorce in HMOP No.1082 of 2014 pending on the file of Additional Family Court, Coimbatore.

5. The petitioner / wife has consented before this Court that she is agreeable for grant of divorce pursuant to the mutually agreeable settlement arrived between them. The parties have also filed a joint memorandum of compromise dated 28.01.2019 duly attested by both their respective counsels. The joint memorandum of compromise is taken on file and shall form part of the records.

6. Accordingly, HMOP No.1082 of 2014 pending on the file of Additional Family Court, Coimbatore is withdrawn and ordered as prayed for. In fine, a decree of divorce is granted on the grounds of incompatibility. The Registry is directed to issue decree and judgment in favour of the respondent / petitioner in HMOP No.1082 of 2014.

7. The Transfer Civil Miscellaneous Petition is disposed of with the above observations and directions. No costs. Consequently, connected miscellaneous petition is closed.

*The Xerox Copy of the Joint
Compromise of Memo enclosed

Sd/-

सत्यमेव जयते
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1.The Judge
Additional Family Court
Coimbatore.

2.The XXV Metropolitan Magistrate Court,
Hyderabad.

3.The Judge,
Additional Family Court,
Tiruppur.

+1cc to Mr.R.Ravikumar, Advocate Sr.22545

+1cc to Mr.C.Ravichandran, Advocate Sr.22572

TR.CMP.NO.421 OF 2015

mr[col]
srg 26/06/2019



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