

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2019

C O R A M

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR C.M.P. No.520 of 2019
and
C.M.P.No.14372 of 2019

Priyngasri @ Rajeswari

... Petitioner/Respondent

Vs.

N.Dineshkumar

... Respondent/Petitioner

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw the case in HMOP. No.200 of 2018, on the file of the Subordinate Judge, Ranipet and transfer the same to the Family Court, Chennai.

For Petitioner : Mr.Balakumar.A.

For Respondent : Mr.J.Titus Enock

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the case in HMOP. No.200 of 2018, on the file of the Subordinate Judge, Ranipet and transfer the same to the Family Court, Chennai.

2. The respondent and petitioner are husband and wife. The respondent has filed a petition for dissolution of marriage in H.M.O.P.No.200 of 2018, on the file of the learned Sub Judge, Ranipet. The wife has filed the present transfer miscellaneous petition before this Court.

3. Pending the present transfer petition before this Court, the parties have negotiated between themselves and arrived at a mutually agreeable settlement. As agreed by the parties, the respondent/husband has taken the petitioner/wife to the matrimonial home and that both the respondent/husband and the petitioner/wife are living together happily.

4. Both the parties mutually agreed to withdraw the allegation and counter allegations made against each other and also agreed for disposal of the respective petitions filed by them. The joint compromise memo filed by the petitioner as well as the respondent is as follows:

'a. The petitioner and the respondent have decided to get their marriage solemnized on 06.02.2017 dissolved. The petitioner and the respondent shall file a petition for divorce by Mutual Consent under Section 13(b) of Hindu Marriage Act.

b. The petitioner claimed jumb sum payment towards permanent alimony from the respondent. The petitioner agreed to keep Rs.90,000/- received from the respondent at an early date. The respondent agreed to keep the one sovereign gold jewel given by the respondent to the petitioner. Apart from the above, the respondent agreed to pay Rs.1,00,000/- to the petitioner. Out of Rs.1,00,000/- the respondent has paid Rs.50,000/- today and the petitioner acknowledges the receipt of Rs.50,000/- hereby and the respondent shall withdraw the HMOP. No.200 of 2018 on the file of the Sub Court, Ranipet. The petitioner and the respondent shall jointly file the mutual consent before the Sub court, Ponneri. The respondent shall pay the remaining sum of Rs.50,000/- to the petitioner on the date of recording evidence in the petition for divorce by mutual consent.

c. The respondent has returned the signed documents relating to the earlier transactions to the petitioner.

d. The petitioner has no further claim towards alimony from the respondent. The respondent has no other jewels, utensils, things or belongings of the petitioner with him.

e. The respondent has no other claim against the petitioner. The petitioner has no other jewels, utensils, things or belongings of the respondent with her.

f. The petitioner and the respondent shall do their part in getting the marriage dissolved through Court .''

5. The Compromise Memo has been filed by the parties shall form part of the record. In view of the submissions made by both the parties, the petition in H.M.O.P.No.200 of 2018 on the file of the Subordinate Court, Ranipet is dismissed as infructuous.

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

***Enclosed Xerox Copy of the Joint Memo of Compromise.**

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rli

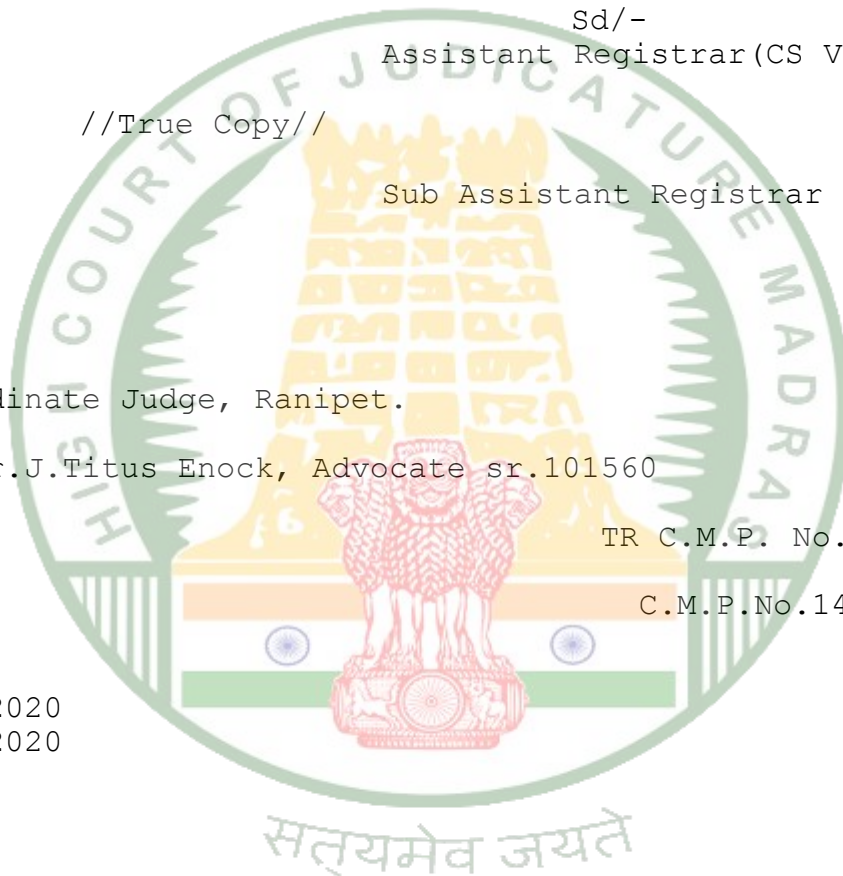
To

The Subordinate Judge, Ranipet.

+1cc to Mr.J.Titus Enock, Advocate sr.101560

TR C.M.P. No.520 of 2019
and
C.M.P.No.14372 of 2019

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nr 10/02/2020



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