

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.11.2019

C O R A M

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

TR C.M.P.No.731 of 2019
and
C.M.P.No.20616 of 2019

Udhayaranjani

... Petitioner

Vs.

S.Arunkumar

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw the case in HMOP. No.16 of 2019 on the file of the learned Sub-Judge Court, Pollachi to be transferred to the Hon'ble Principal Subordinate Judge at Tindivanam.

For Petitioner : Mr.S.Venugopal

For Respondent : Mr.R.Surya Prakash

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking to withdraw the case in HMOP. No.16 of 2019, on the file of the learned Sub-Judge Court, Pollachi and transfer the same to the Principal Subordinate Judge at Tindivanam.

2. The respondent and petitioner are husband and wife. The respondent/husband has filed a petition under Section 13(1) (ia) (iii) of the Hindu Marriage Act for dissolution of marriage in H.M.O.P.No.16 of 2019, on the file of the Sub Court, Pollachi. Aggrieved by the same, the petitioner/ wife has filed the transfer miscellaneous petition seeking for transfer the same to Principal Subordinate Judge, Dindivanam.

2. Mr.R.Suriya Prakash, learned counsel took notice for the respondent on 25.10.2019. The learned counsel appearing for the respondent submitted that during the pendency of the transfer petition, both parties have entered into a compromise and in the said compromise, the Husband/respondent agreed to pay a sum of Rs.4,60,000/- to the wife as full and final settlement

and also produced the copy of D.D. bearing No.505076 for Rs. 4,60,000/-paid to the petitioner. The learned counsel further submitted that the parties could not proceed further before the Trial Court due to the stay granted by this Court in this Transfer Civil Miscellaneous petition.

3. The learned counsel for the petitioner also agreed to the submissions made by the learned counsel for the respondent.

4. Taking into consideration the submission made by the learned counsel for the respondent, so also, the counter affidavit dated 12.11.2019, this Court is inclined to dispose of this Transfer Civil Miscellaneous Petition with a direction to the parties to file the Memorandum of Understanding before the Sub Court, Pollachi. Further, the Court below is also directed to complete the case as expeditiously as possible. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rka

To

1. Sub Court, Pollachi
2. Sub Court, Dindivanam

+2cc to Mr.D.Giribabu, Advocate, S.R.No.93583
+1cc to Mr.R.Surya Prakash, Advocate, S.R.No.94020

TR C.M.P.No.731 of 2019
and
C.M.P.No.20616 of 2018

CP(CO)
CS/27/11/2019