

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2019

C O R A M

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR C.M.P. No.912 of 2018
and C.M.P.No.22410 of 2018

R.Sathiya

... Petitioner

Vs.

V.Balasivaramakrishnan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw Original Petition in F.C.O.P.No.3738 of 2018 on the file of the V Family Court, Chennai and transfer the same to the file of Sub Court, Tirupathur, Vellore District.

For Petitioner : Mr.C.Thilagaraj

For Respondent : M/s.V.J.Latha

O R D E R

This Transfer Civil Miscellaneous Petition has been filed seeking transfer of F.C.O.P.No.3738 of 2018 from the file of V Family Court, Chennai to the file of Sub Court, Tirupathur, Vellore District.

2. The respondent and petitioner are husband and wife. The petitioner/wife filed a petition for restitution of conjugal rights in H.M.O.P.No.142 of 2018 before the Sub Judge, Tirupathur. The respondent/husband filed a petition for divorce in F.C.O.P.No.3738 of 2018 on the file of V Additional Judge, Family Court, Chennai.

3. Pending the present transfer petition, 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 on 17.04.2019 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 respondent/husband has no objection for bringing the articles presented to the wife and their child by the parents and relatives of the petitioner/wife to the matrimonial home.

5. Both the parties agreed that they will lead a happy matrimonial life and further agreed that they will not bring intervention of family members between themselves including parents, sisters and sister-in-law etc. They have also undertook to file a memorandum of Compromise in this regard.

6. The Compromise Memo to be filed by the parties shall form part of the record. In view of the submissions, both F.C.O.P.No.3738 of 2018 pending on the file of V Additional Judge, Family Court, Chennai and H.M.O.P.No.142 of 2015 pending on the file of Sub Judge, Tirupathur are dismissed as infructuous.

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

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

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To

1. The Judge,
V Additional Family Court,
Chennai.

2. The Judge,
Sub Court, Tirupathur,
Vellore District

+1 CC to Ms.V.K. Latha, Advocate sr 40695.

+1 CC to Mr.C.Thilagaraj, Advocate sr 39233

TR C.M.P. No.912 of 2018
and
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SP(10/07/2019)