



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2019

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

TR.C.M.P(MD)No.442 of 2018

and

C.M.P(MD)No.10259 of 2018

T.Premraj

... Petitioner/
Respondent

Vs.

M.Saroja

... Respondent/
Petitioner

PRAYER:- Transfer Civil Miscellaneous Petition filed under Section 24 of the Civil Procedure Code, 1908, praying to withdraw the proceedings in I.D.O.P.No.62 of 2018 pending before the Family Court, Chingelpattu and transfer the same to the file of the District Court, Sivagangai.

For Petitioner :M/s.Chamundi Bose

For Respondent :Mr.G.Jermiah

ORDER

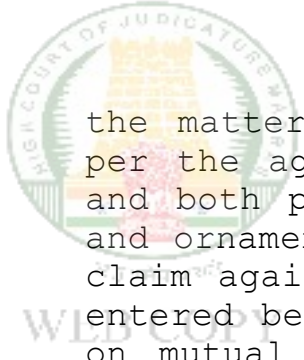
This Transfer Civil Miscellaneous Petition has been filed by the petitioner / husband seeking transfer of I.D.O.P.No.62 of 2018, from the file of the Family Court, Chingelpattu to the file of the District Court, Sivagangai.

2.It is stated in the petition that the marriage between the petitioner and the respondent was solemnized on 16.01.2017. After marriage, both of them lived happily for some time. Later, due to misunderstanding, the respondent / wife left the matrimonial abode and started to live with her parents. Hence, the petitioner/husband has filed I.D.O.P.No.11 of 2018 for restitution of conjugal rights, before the District Court, Sivagangai and the same is pending. In the meanwhile, the respondent / wife also filed I.D.O.P.No.62 of 2018, before the Family Court, Chingelpattu, seeking divorce with the false allegations. Hence, he prayed to transfer I.D.O.P.No.62 of 2018 from the file of the Family Court, Chingelpattu to the file of the District Court, Sivagangai.

3.By order dated 04.03.2019, this Court referred the matter to the Medication and Conciliation Centre, attached to this Bench. Today, it is represented by the learned counsel for both sides that the matter has been settled between the parties.

<https://hcservices.ecourts.gov.in/hcservices/>

4.It is represented by the learned counsel for both sides that



the matter has been amicably settled between the parties and as per the agreement, both the parties agreed for mutual separation and both parties agreed to hand over the other parties' articles and ornaments and they have also agreed that they do not have any claim against each other and they will act as per the settlement entered between them. Since the parties have agreed for divorce on mutual consent, they request for a direction to the learned Judge to dispose of their application within a time frame in the event of their filing of application.

5. Since the parties have settled the matter between themselves on filing of the petition for mutual separation, the learned District Judge, Sivagangai, shall dispose of the petition as expeditiously as possible preferably within a period of two months from the date of filing of the petition. The mediation report and settlement agreement of the parties shall form part and parcel of this order.

6. This Civil Revision Petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)

Encl: Xerox copy of Mediation Report

To

1. The District Judge,
Sivagangai.

2. The Judge,
Family Court,
Chingelpattu.

+1 CC to M/s. CHAMUNDI BOSE, Advocate (SR-57548[F] dated 28/03/2019)

+1 cc to Mr. G. Jermiah , Advocate SR.No.57406

smn

ORDER MADE IN
TR.C.M.P (MD) No.442 of 2018
and
C.M.P (MD) No.10259 of 2018
28.03.2019