

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2020

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Tr.C.M.P.No.719 of 2019
and
C.M.P.No.20320 of 2019

M.Tamizharasi

.. Petitioner

Vs.

S.Thennarasu

.. Respondent

Prayer: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of the Civil Procedure to withdraw and transfer the H.M.O.P.No.154 of 2018, pending on the file of Sub-Court, Tirupattur to Sub Court, Kancheepuram, Kancheepuram District.

For Petitioner : Mr.G.Punniakoti
For Respondent : Mr.B.Sundara Pandiyan

O R D E R

This Transfer Civil Miscellaneous Petition has been filed to transfer the H.M.O.P.No.154 of 2018, pending on the file of Sub-Court, Tirupattur to Sub Court, Kancheepuram District.

2.By an order dated 05.11.2019, the parties were referred for mediation. Today, when the matter was called, the learned counsel for the petitioner submitted that in the mediation held between 14.11.2019 to 22.01.2020, both the parties have amicably resolved the disputes among themselves and have filed a Memorandum of Compromise to that effect dated 22.01.2020. The said Memorandum of Compromise reads as follows:

Memorandum of Compromise

'The above petitioner wife filed Tr.C.M.P.No.719 of 2019 seeking relief for Transfer the H.M.O.P.No.154 of 2018 on the file of Sub Court, Thirupathur to Kanchipuram District. The Tr.C.M.P.No.719 of 2019 came up on hearing on 14.11.2019 on the day both parties requested before this Court to refer the matter to mediation centre the same was settled before the mediation centre following on the conditions.

1.Both the parties agree to exchange seethanam articles and gold ornaments.

2.The respondent husband agree to withdraw the H.M.O.P.No.154 of 2018 on the file of Sub Court, Tirupattur.

3.Both the parties agree to withdraw all the allegations and filed Mutual Consent Divorce petition before the Family Court at Chennai along with dispense with petition for 6 months period.

4.The respondent husband and 5 others filed Quash petition in Crl.O.P.No.18681 of 2019 seeking relief for Quash the FIR in Crime No.10 of 2018 on the file of All Women Police Station, Tirupattur. The petitioner wife agreed to given no objection allowing the Crl.O.P.No.18681 of 2019 in all the petitioners and Quash the entire FIR in Crime No.10 of 2018 against all the accused.

5.The respondent agree to pay a sum of Rs.3,00,000/- (Three Lakhs) at the time of allowing Quash petition in Crl.O.P.No.18681 of 2019 and sum of Rs.2,00,000/- (Two Lakhs) at the time of mutual consent divorce totally Rs.5,00,000/- (Five Lakhs).

6.The petitioner wife working as a Government Teacher, she will not claim any maintenance in future.

3.The Tamil Nadu Mediation and Conciliation Centre has also filed a report dated 22.01.2019, observing that the "mediation has been completed and the Memorandum of Compromise has been forwarded to this Court"

4.Recording the terms of the Memorandum of compromise dated 22.01.2019, the present Transfer Civil Miscellaneous Petition stands disposed of and the said Memorandum of Compromise shall form part and parcel of the order. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

sbn

To

The Sub-Court,
Tirupattur
Kancheepuram District

+1 CC to Mr.G.Punniakoti, Advocate sr 7494.

+1 CC to Mr.B.Sundara Pandiyan, Advocate sr 7246.

Tr.C.M.P.No.719 of 2019
and
C.M.P.No.20320 of 2019

RV(CO)
SP(05/02/2020)



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