

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Transfer C.M.P.No.944 of 2019

V.Kalaiarasi

... Petitioner

vs.

D.Selvaraj

... Respondent

Tr.C.M.P. filed under Section 24 of C.P.C., to withdraw the case in H.M.O.P.No.550 of 2018 pending on the file of the Subordinate Court, Poonamallee to the file of the Family Court at Chennai.

For Petitioner : Ms.S.Meenakshi

For Respondent : Mr.M.P.Surlirajan

O R D E R

The Petitioner/wife has filed this Petition seeking transfer of the proceedings in H.M.O.P.No.550 of 2018 from the file of the Subordinate Court, Poonamallee to the file of the Family Court at Chennai.

2. It is seen that, the marriage between the Petitioner/wife and the Respondent/husband took place in Chennai on 23.06.2008 and through the wedlock, a female child was born to them on 19.12.2009.

3. On 18.12.2019, this Court referred the parties for mediation before Mr.S.Parthasarathy, learned counsel having office at 295, Law Chambers, High Court, Chennai 600 104 (Cell No.98411 49429) and directed the parties to appear before him for mediation on 03.01.2020.

4. Today, when the matter is taken up for hearing, learned counsel for the parties produced separate Affidavits dated 17.02.2020 filed by the Petitioner/wife and the Respondent/husband, both agreeing to be separated with mutual consent. Affidavits dated 17.02.2020 filed by the Petitioner and the Respondent, respectively, shall form part of the record.

5. When this Court asked the learned counsel on either side, as to whether the parties can pay Mediation fee of a sum of Rs.10,000/- to the learned Mediator, they agreed. Accordingly, both the Petitioner and the Respondent, shall each pay a sum of Rs.5,000/-, in toto, Rs.10,000/- (Rupees Ten Thousand only) as Mediation fee to Mr.S.Parthasarathy, learned counsel, who mediated between the parties.

6. As Mr.S.Parthasarathy, learned counsel, is unwilling to accept the said amount towards Mediation fee, the said amount of Rs.10,000/- (Rupees Ten Thousand only) shall be

donated in favour of "SODEWS (Society for the Development of Economically Weaker Sections), A/c.No.30002264107 (IFSC No.SBIN0001855), State Bank of India, R.A.Puram Branch, (Mr.K.S.Ramamurthy, Cell No.94424 11782), for the welfare of the tribal children studying there, within a period of four weeks from the date of receipt of a copy of this order.

7. The Transfer Civil Miscellaneous Petition is closed with the above direction. No costs. Consequently, connected C.M.P.No.25688 of 2019 is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

(aeb)

To :

- 1.The Subordinate Court, Poonamallee.
- 2.Mr.K.S.Ramamurthy,
SODEWS (Society for the Development of Economically Weaker Sections,
Kalar vattam, Mullai Village,
Vimmayam pattu Post,Vaniyambadi Taluk,
Tirupattur District-635 752
- 3.Mr.S.Parthasarathy, learned counsel having office at 295,
Law Chambers, High Court, Chennai 600 104.

+1cc to M/s.S.Meenakshi , Advocate SR.No. 14926

A.SK(07/08/2020)

Tr.C.M.P.No.944 of 2019

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