

O.P.No.437 of 2020 and
Application No.2423 of 2020

V.PARTHIBAN, J.

When the matter is taken up for hearing, the learned counsels representing the parties would submit that the parties have agreed before the Mediation Centre in respect of custody of child. The terms of the Mediation agreement reads as follows:

"a)Both parties have consented to file for divorce under Section 13(b) of the Hindu Marriage Act before the Family Court, Coimbatore which was solemnized on 09.07.2009 at Sulochana Bangaru Mandapam, Thindivanam in accordance with the Hindu Rites and Customs.

b)The petitioner undertakes to withdraw the present O.P.No.437 of 2020 pending on the file of this Court for custody of the child on filing of the petition for divorce under Section 13 B of the Hindu Marriage Act.

c)The respondent undertakes to withdraw the HMOP No.341 of 2020 filed for divorce on the file of the Principal Family Court Coimbatore on 16.04.2020. The petitioner agrees that he will withdraw the Restitution of Conjugal Rights in O.P.No.129 of 2020 on the file of the subordinate Court at Thindivanam.

d)Both parties agree that the permanent custody of minor child Rishi is given to the respondent and that the petitioner is not seeking any visitation rights.

e)Both parties agree that the respondent shall be

solely responsible for the welfare of the minor son Rishi and that she shall be the guardian of the minor child for all purposes of documentation or otherwise and shall not seek any financial or other support from the petitioner.

f)Both parties agree that the minor child Rishi shall not claim any right over the movable or immovable properties owned by the petitioner.

g)The petitioner agrees to break away the C.U.G. Plan of Airtel Connection with reference to his Airtel phone number 9840820072 and allow the Airtel phone numbers of the respondent and her mother to remain as independent connections.

h)Both parties shall not claim any maintenance or permanent alimony in the future from each other.

i)Both parties agree that they have no claims against each other and shall not claim any immovable properties belonging to them in their individual names.

j)Both parties have exchanged their respective personal articles and agree that they will not raise any claims in respect of any articles or rights that accrued to them during the period of their marital relationship.

k)Both parties have no claim for the present or future against each other regarding their matrimonial disputes and they also further undertake that they will not initiate any civil or criminal proceedings against each other in respect of their matrimonial disputes and maintenance.

l)Both the parties agree that in view of the settlement arrived between them, neither they nor any other person will pursue or initiate any action arising out

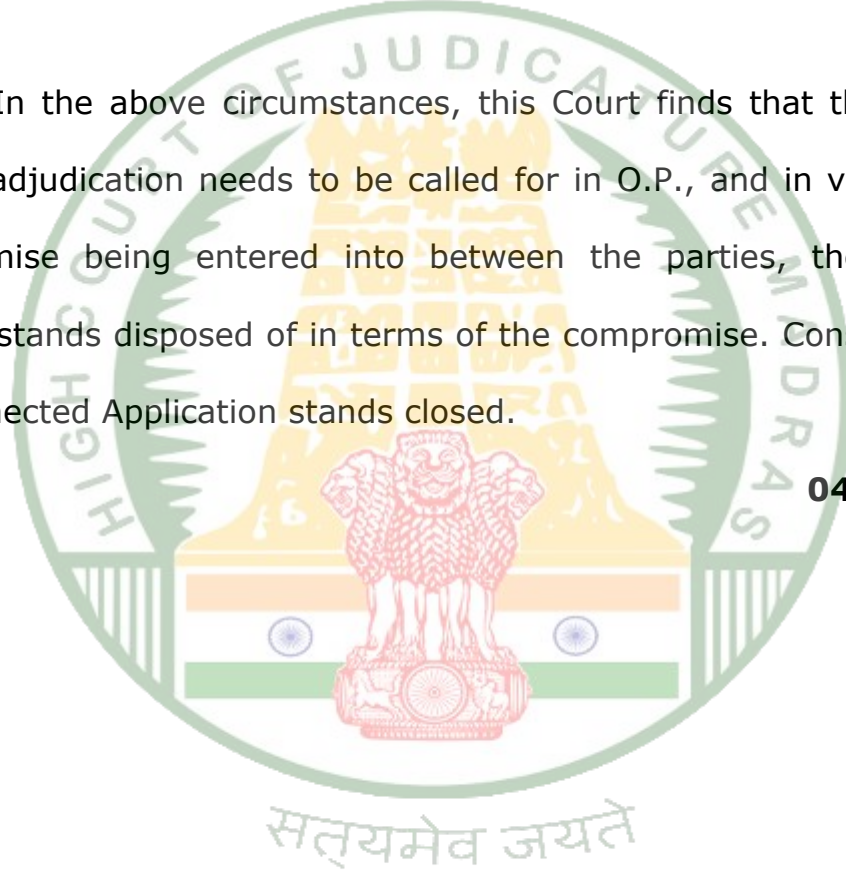
of their marital relationship.”

The terms of the agreement to be read as part and parcel of this O.P.
The learned counsels request this Court that, in terms of the mediation report, the O.P., may be disposed of.

2.In the above circumstances, this Court finds that there is no further adjudication needs to be called for in O.P., and in view of the compromise being entered into between the parties, the Original Petition stands disposed of in terms of the compromise. Consequently, the connected Application stands closed.

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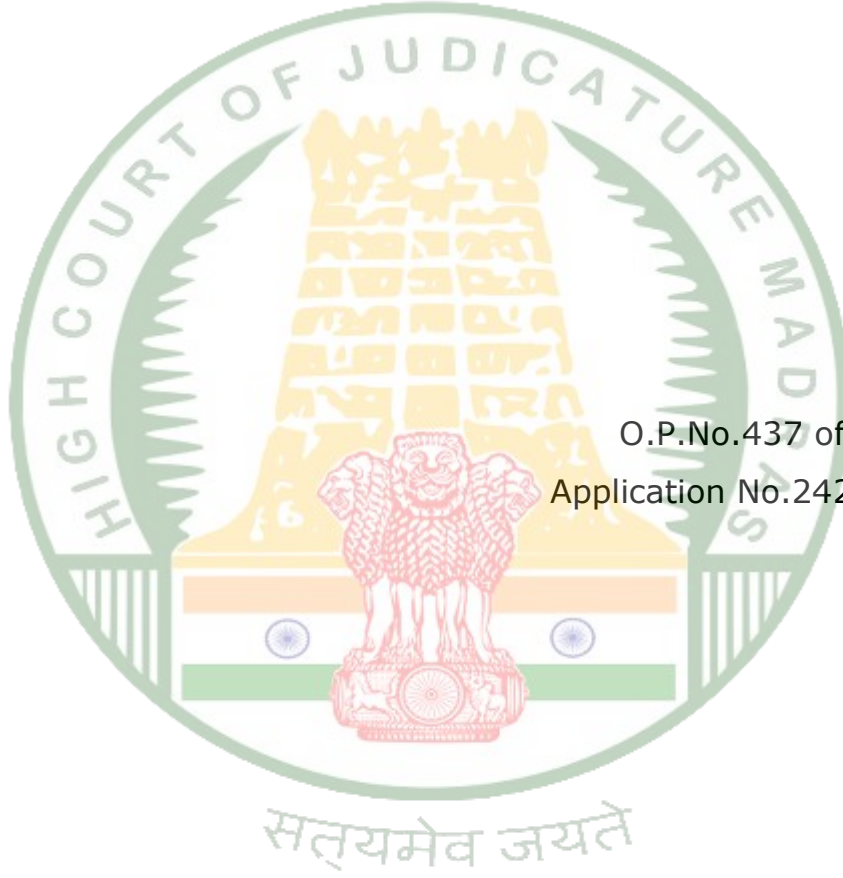


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