



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

TR.CMP(MD).No.44 of 2020 and

CMP(MD).No.823 of 2020

WEB COPY

Dhanya Meenakshi

.. Petitioner / Respondent

Vs.

P. Geetha Ramanan

.. Respondent/ Petitioner

Prayer: Transfer CMP filed under Section 24 CPC filed to withdraw the case in HMOP.No.151 of 2019 from the file of Family Court, Karur and transfer the same to the file of Family Court, Madurai for the disposal of the case on merits and in accordance with law.

For petitioner : Mr.R. Gandhi

For respondent : Mrs. M. Maria Vinola

ORDER

Though this Transfer Civil Miscellaneous Petition is filed to withdraw HMOP.No.151 of 2019 from the file of Family Court, Karur and transfer the same to the file of the Family Court, Madurai, the parties have filed a Joint Memorandum seeking the divorce under Section 13-B of the Hindu Marriage Act.

2. A perusal of the proceedings shows that the parties have been living apart for more than a year and six months time has lapsed from the date of initiation of the proceedings before this Court itself.

3. I find that the conditions laid down by the Hon'ble Supreme Court in **Amardeep Singh Vs. Harveen Kaur** reported in **2017 (8) SCC 746** have been complied with and there is no possibility of the reunion between the parties even if the cooling-off period is insisted upon.

4. In view of the same, the above Joint Memorandum of Compromise, dated 21.12.2020 is recorded and the marriage between the parties is dissolved under Section 13-B of the Hindu Marriage Act. The HMOP.No.151 of 2019 pending on the file of the Family Court, Karur is withdrawn to this Court and there will be a decree for divorce under Section 13-B of the Hindu Marriage Act in the said HMOP. The Joint Compromise Memo, dated 21.12.2020 filed by the parties shall form part of the decree.



5. With the above observation, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Cs-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

trp

To

1.The Judge
The Family Court, Karur.

2.The Section Officer, (2Copies)
VR Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.MARIA VINOLA, Advocate (SR-488[F] dated 07/01/2021)

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KB (08.02.2021) 2P 5C