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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

TR.C.M.P.NO.168 OF 2019

&

C.M.P.NO.5260 OF 2019

Neeraja

...Petitioner

Vs.

O.Ananth

...Respondent

PRAYER : The Transfer Civil Miscellaneous Petition filed under section 24 of C.P.C., to withdraw H.M.O.P.No.174 of 2018 from the file of the Sub Court, Lalgudi and to transfer the same to the Family Court Chennai.

For Petitioner : Ms.M.Sneha

For Respondent : Mr.V.Ilanchezhian

O R D E R

Today when the matter is taken up for hearing, the learned counsel for the petitioner submits that the parties have mutually settled their dispute before the Tamil Nadu Mediation and Conciliation Centre and filed a Joint memo of compromise. The Joint memo of compromise dated 30.08.2019 is taken on file and shall form part of the records. The Joint Memo of Compromise reads as under:

“ JOINT MEMO OF COMPROMISE
FILED BY THE PARTIES

1. It is respectfully submitted that the marriage between the petitioner and the respondent was solemnized on 19.05.2016 at Jothi Mandapam, Lalgudi as per Hindu rites and ceremony and the same was registered with the Sub Registrar Office, Lalgudi on 27.05.2016. The said marriage was an arranged one.

2. It is respectfully submitted that due to misunderstanding between the petitioner and the respondent they are living apart from December 2016. Thereafter the respondent had



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filed a petition for divorce against the petitioner at Trichy Sub Court in HMOP No.333 of 2017. subsequently due to the formation of Sub-Court at Lalgudi the said case was transferred to Sub Court Lalgudi and renumbered as HMOP No.174 of 2018.

3. It is respectfully submitted that the petitioner herein had filed the present transfer petition in Tr.C.M.P 168 of 2019. In the said transfer petition the parties have arrived at a mutual consensus and are entering into this Joint Compromise of the following terms

(i) THAT the petitioner and the respondent agree that the present transfer petition be allowed

(ii) THAT the petitioner and the respondent mutually agree that they shall not make any claim either in the form of cash or by way of property against each other at present or in future, at any point of time. That the said clause shall be incorporated in the application to be filed u/s. 13B of the Hindu Marriage Act for mutual divorce before the Family Court Chennai on or before the 30th day of September 2019.

(iii) THAT the petitioner and the respondent agree that, the respondent shall return the below mentioned jewellery and articles of the petitioner on the date of filing of petition u/s. 13B of the Hindu Marriage Act.

Gold Jewellery:

Ring	1 gram
Ring	1 gram
Bangles	22.550 grams
Necklace	23.850 grams
Bangles	8 grams
Ear ring	4 grams
Chain	8 grams
Bracelet	8 grams
Ring	4 grams
Lakshmi coins	2 grams
Ring	4 grams



Silver Articles

Vilakku	1
Santhan Kinnam	1
Tumbler	1
Plate Big	1
Plate Small	1
Pancha Paathiram Set	1
Sombu	1

Articles

Cot, Bureau, Bed, Brass vessels, Steel vessels, Dress, Suticase 2, Bag 2 and dresses

(iv) THAT the petitioner shall return to the respondent

Gold Jewellery

Mangalyam	7 grams
Lakshmi Coin	2 grams

4. It is submitted that the petitioner and the respondent shall not make any other claims in future as against each other on their properties.

5. It is submitted that the petitioner and the respondent are entering into the present compromise memo on their own free will and volition without any fear or coercion or force from any person. "

As per the agreement, the respondent returned all the articles mentioned therein and both the parties have filed petition for divorce by mutual consent under Sec.13 B of the Hindu Marriage Act and the same was numbered as O.P.No.4981 of 2021 and listed for hearing on 26.05.2022. Recording the Joint memorandum of Compromise, the Transfer Civil Miscellaneous Petition is closed. Consequently, connected miscellaneous petitions are closed.

Encl.: Xerox copy of
Joint Memo of Compromise

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

RGN



To

1.The Sub Court,
Lalgudi.

2.The Family Court,
Chennai.

Tr.C.M.P.No.168 of 2019
&
C.M.P.No.5260 of 2019

RGN(CO)
RVM(08/04/2022)