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Tr.C.M.P. No.21 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Tr.C.M.P. No.21 of 2023

and

C.M.P.No.795 of 2023

B.Divya,
W/o. Balamurugan

.... Petitioner

-Vs-

M.Prithiviraj,
S/o. Munusamy

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition filed under Section 24 of C.P.C., to withdraw the H.M.O.P.No.227 of 2022 pending on the file of Hon'ble Sub-Court at Tambaram and the same may be transferred to the Hon'ble Sub-Court at Tindivanam.

For Petitioner : Mr.S.Sathyaraj

For Respondent : Mr.D.Velmurugan



ORDER

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The petitioner herein is the wife and she seeks transfer of the petition in H.M.O.P.No.227 of 2022 filed by the respondent from the file of Sub-Court at Tambaram to the file of Sub-Court, Tindivanam.

2. Earlier, this Court by an order dated 08.03.2023 referred this matter to the Tamil Nadu Mediation and Conciliation Centre attached to this Court and as per the settlement arrived between the parties, both have agreed to file a petition for mutual consent by invoking Sec.13(B) of Hindu Marriage Act before the Sub-Court, Tambaram and the respondent/husband agreed to pay a sum of Rs.7,00,000/- as permanent alimony to the petitioner/wife. Accordingly, on 10.04.2023, a sum of Rs.2,00,000/- was paid by him by way of cash and after filing a petition for mutual consent, he undertakes to pay the remaining amount to her. Subsequently, on 13.04.2023, the petition under Sec.13(B) of Hindu Marriage Act seeking for a mutual consent was filed and on that day, shridhana articles were handed over to the wife along with a sum of Rs.3,00,000/- part of the remaining permanent alimony and the balance amount is to be paid to her



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on the date of taking evidence in the said petition. Accordingly, the settlement arrived between the parties is recorded.

3. Considering the fact that since the matter was settled between the parties and both were agreed for mutual consent and also the fact that 80% of the settlement was complied by the parties, the trial judge is directed to take the petition filed under Sec.13(B) of Hindu Marriage Act on file and dispose the case within a period of four weeks from the date of receipt of copy of this order dispensing the window period of 6 months as there is no possibility of reunion. Accordingly, this Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

17.04.2023

Index : Yes/No
Internet : Yes/No
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To

1. Sub-Judge, Tambaram.
2. Sub-Judge, Tindivanam.



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T.V.THAMILSELVI, J.

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