



Tr.CMP.No.105 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.CMP.No.105 of 2023

and

C.M.P.No.2207 of 2023

A.Niranjana

.. Petitioner

Vs.

M.Baskar

.. Respondent

Prayer : The Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, to withdraw the proceeding in O.P.No.197 of 2022 pending on the file of the Principal Sub Court, Srivilliputhur at Virudhunagar and transfer the same to the file of the VII Additional Family Court at Chennai to be tried along with O.P.No.3054 of 2011, O.P.No.1499 of 2013 and G.W.O.P.No.1254 of 2021 and E.P.No.14 of 2016.

For Petitioner : Dr.K.Santhakumari

For Respondent : M/s.Rajeswari Karthikeyan

ORDER



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The present Transfer Civil Miscellaneous Petition was filed seeking transfer of proceeding in O.P.No.197 of 2022 pending on the file of the Principal Sub Court, Srivilliputhur at Virudhunagar District.

2. There is no dispute in the relationship between the parties. From the wedlock, a female child was born, namely, B.N.Dharanya, who is said to be undergoing her SSLC course as on today.

3. I heard Dr.K.Santhakumari, appearing on behalf of the petitioner and M/s.Rajeswari Karthikeyan, appearing on behalf of the respondent.

4. Taking into consideration the fact that the parties have been at loggerheads for more than 13 years, I requested both the counsels to broach the possibility of the settlement. Thereafter, the matter was adjourned after vacation.

5. Today, when the matter was taken up, both the counsels represented that they have arrived at a settlement on the following terms :

(1) The respondent/husband shall clear the arrears of maintenance,



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which approximately comes to a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) as on today, on or before 28.06.2024.

(2) On clearing those arrears, the parties shall file an application under Section 13B of the Hindu Marriage Act before the Family Court at Chennai.

(3) Within the period of six months, that is necessary to pass a final decree under Section 13B of the Hindu Marriage Act, the husband undertakes to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) towards permanent alimony for the wife and shall deposit another sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) in the name of the child with the mother as a guardian.

(4) The mother will not be entitled to break or liquidate the Fixed Deposit of Rs.30,00,000/- (Rupees Thirty Lakhs only) but she will be entitled to withdraw the quarterly interest as she is having the custody of the child.

(5) The father/respondent requests that he may be permitted to visit the child. The party as well as Dr.K.Santhakumari graciously agreed to the same. Accordingly, the father will be permitted to exercise his visitation rights over the child by meeting her on 2nd and 4th week of Sunday of every



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month from 10 A.M. to 12 P.M. in "Andal Temple" at Srivilliputhur. It is up to the parties to agree with respect to the visitation of the father on auspicious occasions, birthdays or such other days as to which the father may request the mother and it is up to the mother to reasonably consider such request.

(6) Between the period from filing of Section 13B petition till the final order of divorce is passed, the wife will be entitled for the monthly maintenance of Rs.15,000/- (Rupees Fifteen Thousand only) already ordered by the Court.

6. Recording the brought terms in the compromise arrived at, the Transfer Civil Miscellaneous Petition is disposed of. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

03.06.2024

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Index:Yes/No

Speaking Order :Yes/No

Neutral Citation:Yes/No



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V. LAKSHMINARAYANAN, J.

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To

- 1.The Principal Sub Court,
Srivilliputhur at Virudhunagar
- 2.The Family Court,
Chennai

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