



Tr.C.M.P.No.503 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Tr.C.M.P.No.503 of 2024

and

C.M.P. No.10413 of 2024

S.Narmadha

... Petitioner

Vs.

S.Pandiarajan

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, to withdraw the H.M.O.P.No.453 of 2023 on the file of the Sub Court at Poonamallee and transfer the same to Sub Court at Tiruchengode.

For Petitioner : Mr.B.Mohan

For Respondent : Mr.T.Padmanaban

ORDER

This transfer civil miscellaneous petition has been filed seeking to withdraw the H.M.O.P.No.453 of 2023, pending on the file of the Sub Court at Poonamallee and transfer the same to Sub Court at Tiruchengode.



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2.Earlier, this Court, on 10.07.2024, directed the matter to be placed before the Mediation and Conciliation Centre attached to this Court and appointed Ms.Revathi G. Mohan as a Mediator, who held mediation and conciliation between the petitioner and respondent. In the mediation process, the issue between both the petitioner and respondent got resolved and they have also entered into a Settlement Agreement dated 27.09.2024. It is also resolved that both parties shall file a petition under Section 13-B of Hindu Marriage Act to dissolve the marriage between them by mutual consent on 06.11.2024 before the appropriate Court.

3.A scanned reproduction of the Settlement Agreement dated 27.09.2024 signed by the parties and their respective counsels, read as follows:



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SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into on 27th day of September, 2024 between;

Mrs. S. Narmadha, Daughter of Saravanakumar, Female aged about 27 years residing at No. L 286, Kottappalli Colony, Tiruchengode, Namakkal District (Aadhar No: 7189 5160 8546), hereinafter referred to as **FIRST PARTY** (which expression shall mean and include wherever the context admits his heirs, executors, administrators, etc.,);

AND

Mr. S. Pandiyarajan, Son of Selvaraj, Male aged about 34 years residing at Plot No.4, MCB Mathura Phase - 3, Behind Baktavachala Perumal and Sivan Temple, Thirunindravur, Tiruvallur - 602 024 (Aadhar No. : 7691 9656 4446), hereinafter referred to as **SECOND PARTY** (which expression shall mean and include wherever the context admits her heirs, executors, administrators, etc.,);

WHEREAS

1. Disputes and differences had arisen between the Parties hereto and the Second Party has filed a Petition in H.M.O.P No. 453 of 2023 on the file of Subordinate Court, Poonamallee under section 13(1) (i-a) and (i-b) of the Hindu Marriage Act for dissolving the marriage dated 24.05.2023 took place between the Parties hereinto.



S. Narmadha
27/9/24.
S. Pandiyarajan
27/9/24



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2. After the receipt of summons, the First Party has filed a transfer petition before the Hon'ble High Court of Madras in Tr.CMP.No. 503 of 2024 to transfer the HMOP.No.453 of 2023 pending on the file of Sub Ordinate Court, Poonamallee to Subordinate Court, Tiruchengode.
3. The matter was referred to mediation/conciliation vide an Order dated 10.07.2024 passed by the Hon'ble Mr.Justice M. Nirmal Kumar.
4. The Parties agreed that Mrs. Revathi G Mohan would act as their Mediator/Conciliator.
5. Several meetings were held during the process of Mediation/Conciliation from 18.07.2024 to 27.09.2024 and the parties have with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above-mentioned disputes and differences.
6. The Parties hereto confirm and declare that they have voluntarily and of their own free will arrived at this Settlement Agreement in the presence of the Mediator/Conciliator.
7. The following settlement has been arrived at between the Parties hereto:

[Handwritten signatures]
S.P. in
27/9/2024



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- A. The second party shall withdraw the HMOP.No. 453 of 2023 on the file of Sub Ordinate Court, Poonamallee filed seeking for divorce on the grounds of cruelty.
- B. The First Party shall return the Thali weighing $\frac{3}{4}$ Sovereign and Engagement ring weighing one gram and wedding saree presented at the time of marriage by the First Party.
- C. The Second Party shall return the wedding ring weighing $\frac{1}{2}$ Sovereign, Dresses of the first party and cash to the tune of Rs. 90,000 (Rupees Ninety Thousand Only) given by the first party at the time of marriage.
- D. Both the parties agree that they shall file petition for mutual section under Section 13B of Hindu Marriage Act before the Sub Court, Salem on 06.11.2024.
- E. Both the parties agree that they shall not interfere and claim possession or enjoyment rights, whatsoever, of movable and immovable properties owned by both of them.
- F. Both the parties agreed that they shall not have any objection whatsoever, in both of them getting remarried in future and further undertake that they shall not disturb each other's future personal life.



P. R. S.
27/9/2024
S. P. S.
27/9/2024



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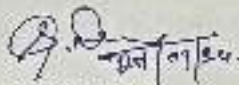
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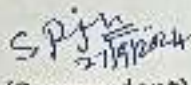
G. Both the parties relinquish right of claiming maintenance as alimony and whatsoever from the respondent, during past, present and future.

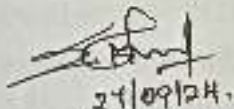
F. Both the Parties have exchanged their Shidhana articles

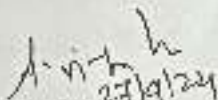
8. By signing this Agreement, the Parties hereto state that they have no further claims or demands against each other with respect to Tr.CMP. No. 503 of 2024 pending on the file of the Hon'ble Madras High Court and all disputes and differences in this regard have been amicably settled by the Parties through the process of Conciliation/Mediation.

DATE: 27.09.2024

PARTIES' SIGNATURE: 
(Petitioner)


(Respondent)


27/09/24.
COUNSELS' SIGNATURE: (Petitioner)


27/09/24
(Respondent)

The above terms of Settlement Agreement are recorded.



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4. In view of the above settlement arrived at between the parties, the

Transfer Civil Miscellaneous Petition is disposed of in terms of the Settlement Agreement. The said Settlement Agreement shall form part of the order. No costs. Consequently, connected miscellaneous petition is closed.

04.10.2024

Speaking Order/Non Speaking Order

Index : Yes/No

Internet : Yes/No

Neutral Citation: Yes/No

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To

1.The Subordinate Judge,
Poonamallee.

2.The Subordinate Judge,
Tiruchengode.



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M.NIRMAL KUMAR, J.

rsi

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and
C.M.P. No.10413 of 2024

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