



Tr.C.M.P.No.341 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20..09..2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr. C.M.P. No.341 of 2024

and

C.M.P.No.7093 of 2024

M.K.Nareshkumar

..... Petitioner

-Versus-

Tmt.K.Amudhavalli

..... Respondent

Petition filed under Section 24 of Code of Civil Procedure, praying to withdraw H.M.O.P.No.150 of 2022 pending on the file of the learned Principal Subordinate Judge at Kancheepuram and transfer the same to the file of the Family Court at Chengalpattu.

For Petitioner : Mr.S.Yudhish Padman

For Respondent : Mr.S.Santhish Kumar



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ORDER

This transfer petition seeks to withdraw the case in H.M.O.P.No.150 of 2022 pending on the file of the learned Subordinate Judge, Kancheepuram, and to transfer the same to the file of the Family Court at Chennai.

2. Notice was ordered in the petition and the respondent /wife was served.

3. Today, when the matter was taken up for hearing, the learned counsel for the petitioner and the respondent would submit that the parties have entered into a compromise and have filed a joint memo of compromise, in which, both the petitioner and respondent and their respective counsel have endorsed their signatures.

4. The terms of joint memo of compromise reads as follows: -



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(CIVIL APPELLATE JURISDICTION)

TR.CMP.NO.341/2024

Thiru.M.K.Nareshkumar,
S/o Thiru.M.Kasi,
Hindu, aged about 37 years,
No.2/101, Mettu Street,
Ravathanallur Village,
Uthiramerur Taluk,
Kancheepuram District.



...Petitioner (Husband)

Vs.

Tmt.K.Amudhavalli,
W/o Thiru.M.K.Nareshkumar,
D/o Thiru.M.Kenniappan,
Hindu, aged about 30 years,
No.107, Marudham Village,
Wellajabad Taluk,
Kancheepuram District.

...Respondent (Wife)

JOINT MEMO OF COMPROMISE

01. It is humbly submitted that the petitioner husband had filed OP.No.150/2022 u/s.13(1)(i-a) of the Hindu Marriage Act, 1955 against the respondent wife herein praying for a decree of divorce. The same was filed before the Hon'ble Principal Sub Court at Kanchipuram. Pending disposal of the same, the petitioner husband filed the above Transfer CMP praying to transfer the above OP to Hon'ble Family Court at Chengalpattu.

02. It is humbly submitted that when the matter was listed on 06/09/2024, this Hon'ble Court granted time to both parties to discuss the possibility of amicably settling the dispute amongst themselves and adjourned the matter. Utilizing the said opportunity, the parties discussed and have mutually agreed to get divorced by way

[Signature]

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[Signature]



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of mutual consent u/s.13-B of the Hindu Marriage Act, 1955 subject to certain terms and conditions. The same was informed to this Hon'ble Court on 09/09/2024 following which, the Hon'ble Court granted time to record a Joint Memo of Compromise reflecting the mutually agreed terms and conditions and hence, the present Joint Memo of Compromise as hereunder:

- a. It has been mutually agreed that the petitioner husband shall withdraw OP.No.150/2022 pending on the file of the Hon'ble Principal Sub Court at Kancheepuram and instead, both the petitioner husband and the respondent wife shall jointly file a fresh OP u/s.13B of the Hindu Marriage Act, 1955 at jurisdictional Court of mutual convenience
- b. It has been mutually agreed that the respondent wife who is in custody of golden jewellery belonging to the petitioner husband ^{and respondent wife} family shall adjust the same towards her permanent alimony and in consideration of the same, she shall relinquish all present, past, and future claims of maintenance and alimony as against the petitioner husband whatsoever.
- c. It has been mutually agreed that after giving due notice to the petitioner husband, subject to mutual convenience, the respondent wife shall be at liberty to inspect the matrimonial house and take back her belongings that may have been left behind by her, and the respondent wife agrees to undertake this exercise on or before filing of her proof affidavit in the above OP proposed to be filed u/s.13B of the Act failing which, the

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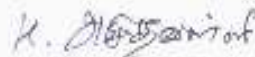
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respondent wife understands that it shall be deemed that the petitioner husband has returned all articles belonging to the respondent wife.

It is therefore prayed that this Hon'ble Court may be pleased to record this Joint Memo of Compromise and pass such further or other orders as this Hon'ble Court may deem fit & proper in the facts of the case and thus render justice.

Dated at Chennai on this the 20th day of September 2024


PETITIONER HUSBAND


RESPONDENT WIFE


COUNSEL FOR PETITIONER HUSBAND


COUNSEL FOR RESPONDENT WIFE

5. I have gone through the joint memo of compromise. I do not find any illegality or irregularity in the same.

6. This transfer petition is disposed of in terms of memo of compromise. The joint memo of compromise shall form part and parcel of this order. No costs. Consequently, connected CMP is closed.

Index : yes / no

20..09..2024

Neutral Citation : yes / no

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To

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- 1.The Subordinate Judge, Kancheepuram, Kancheepuram District.
- 2.The Judge, Family Court, Chengalpattu, Chengalpattu District.



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V.LAKSHMINARAYANAN.J.,
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