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Cont.P.No.2405 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Cont.P.No.2405 of 2023

Mohamed Ibrahim,
Old No.32, New No.18, Ramasamy Street,
T.Nagar, Chennai – 600 017.

... Petitioner

Vs.

Khalidha Farwin,
Landmark Ayna, B 304, 3rd Floor, B Block,
Padmavathi Nagar, Virugambakkam,
Chennai – 600 092.

... Respondent

PRAYER: Contempt Petition filed under Section 10 of the Contempt of Courts Act, 1971, praying to punish the respondent for having willfully disobeyed the order dated 27.07.2022 passed by the Hon'ble IV Additional Family Court, Chennai in I.A.No.1 of 2019 in O.S.No.173 of 2019.

For Petitioner : Mrs.P.Kritika Kamal

For Respondent : Mr.R.Ragavendran



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ORDER

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(Order of the Court was made by *M.S.RAMESH, J.*)

As per the earlier order of the Co-ordinate Bench of this Court dated 22.11.2023, both the petitioner, as well as the respondent were referred to Mediation Centre and during the course of mediation, both of them had amicably arrived at a settlement. The terms of which were reduced to Memorandum of Understanding. Following are all the terms arrived at mutually between the parties:-

***“NOW THIS MEMORANDUM OF
UNDERSTANDING WITNESSETH AS FOLLOWS:***

- 1. The Parties hereby mutually declare and covenant that the SECOND PARTY will have sole, permanent and exclusive custody of their child i.e. K.Banu @ M.Thasleema Begum @ K.Mounia specifically in exclusion of FIRST PARTY and his family members. The FIRST PARTY shall not have any visitation rights or any other right over their Child in whatsoever manner.*
- 2. The FIRST PARTY hereby declares that he shall not have any visitation rights of their Child and also waives off/gives up all rights over their Child in whatsoever*



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manner including visitation rights to the SECOND PARTY either in present or future.

- 3. The Parties are in possession of their respective articles and there dwells no claim against each other in whatsoever manner. All claims of the Parties with respect to maintenance and properties of either side are fully settled in full and neither party shall have any past, present or future claim against each other in a whatsoever manner. The minor child also doesn't have any right past present or future in respect to the maintenance and property of the FIRST PARTY.*
- 4. The FIRST PARTY hereby declares and expressly grants consent for the SECOND PARTY to represent, sign, apply, obtain, receive etc. as the sole parent of the Child before Government/Private Authorities without any express/written consent or permission from the FIRST PARTY. The SECOND PARTY will update/change the address of the Child in forms and other government records and the FIRST PARTY agrees and consents for the same.*
- 5. The Parties hereby agree and covenant that they shall not interfere with either of the lives and the FIRST PARTY hereby declares and covenants that he will either disturb or interfere with Child and SECOND PARTY.*



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6. *The Parties hereby give up all the allegations made against each other before all proceedings including but not limited to the allegations levelled in O.S.No.173 of 2019 before the Hon'ble IV Additional Family Court, Chennai and Cont.P.No.2405 of 2023 before the Hon'ble High Court, Madras.*
7. *The FIRST PARTY hereby undertakes to remove all his reviews in the public forum or any other mode of review against the SECOND PARTY's family members and their businesses including Goggle Review etc. and hereby further undertakes and declares that he will not make/write any review against the SECOND PARTY or his family members or their business/work in any forum thereby causing loss of reputation, respect, dignity, damages etc.*
8. *The Parties agree to withdraw the allegation in O.S.No.173 of 2019 and the Parties hereby agree to file a Compromise Memo seeking the submitted decree of divorce dissolving their marriage conducted on 29.04.2018 at SIET Sports Pavilion, 54, K.B. Dasan Street, Teynampet, Chennai – 600018 in O.S.No.173 of 2019 & M.C.No.271 of 2019 on the file of Hon'ble IV Additional Family Court, Chennai and D.V.C.No.58 of 2019 on the file of Hon'ble Metropolitan Magistrate, Saidapet recording this Memorandum of*



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Understanding.

9. *The Parties hereby agree to place this Memorandum of Understanding in the mediation conducted in the High Court Medication Centre in Cont.P.No.2405 of 2023 before the Hon'ble High Court, Madras and form part and parcel of the mediation report.*
10. *The Parties hereby agree that the Parties will report this settlement and place this Memorandum of Understanding before the Hon'ble High Court, Madras and record the same in Cont.P.No.2405 of 2023.*
11. *The Parties have executed this Memorandum of Understanding to give quietus to all issues between them and to conclude all legal battles including but not limited to O.S.No.173 of 2019 & M.C.No.271 of 2019 on the file of Hon'ble IV Additional Family Court, Chennai, D.V.C.No.58 of 2019 on the file of Hon'ble Metropolitan Magistrate, Saidapet and Cont.P.No.2405 of 2023 on file of the Hon'ble High Court, Madras and any other litigation pending/filed before any court or authority or anywhere else against each other and their family members.*
12. *The Parties hereby undertake and cooperate with each other and sign all necessary documents for dissolving their marriage and appear before the concerned Court for the same."*



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M.S.RAMESH, J.
and
SUNDER MOHAN, J.

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2. Recording the above terms of settlement dated 28.11.2023,
arrived at between the parties, this Contempt Petition stands closed.

[M.S.R., J] [S.M., J]
25.03.2024

Index: Yes/No
Internet: Yes/No

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