

TR CMP(MD) NO. 734 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10-10-2025

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THE HONOURABLE MR.JUSTICE SHAMIM AHMED

TR CMP(MD) No. 734 of 2023

Maria Arockia Jenifer

D/o. Aruanantham, 25-A, Paradesi Madam Street, Oothumalai,
Srivilliputhur, Virudhunagar District.

Appellant(s)

Vs

Xavier Raj Mohan

S/o. Emildo Fernand, 92/4, Catholic Church Street, Cruise Nagar,
Madathuvilai, Arumuganeri, Thoothukudi District.

Respondent(s)

Prayer:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw and transfer the D.O.P. No. 324 of 2022 from the file of the Principal District Court, Thoothukudi to the Principal District Court, Virudhunagar at Srivilliputhur.

For Appellant(s):

Mr.A.Mohan

For Respondent(s):

Mr.Santha Suresh Santhagunam

ORDER

This case is listed before this Court for rehearing today, as regular Bench, as per the order, dated 15.09.2025, of the Honourable The Chief Justice of this Court.



2.This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure to withdraw the case in DOP.No.324 of 2022 on the file of the Principal District Court, Thoothukudi and transfer the same to the file of Principal District Court, Virudhunagar at Srivilliputhur.

3.Heard Mr.A.Mohan, learned counsel for the petitioner and Mr.Santha Suresh Santhagunam, learned counsel for the respondent.

4.The Co-ordinate Bench of this Court, vide order dated 13.02.2024, referring the matter to the Mediation and Conciliation Centre attached to this Bench, had passed the following order, :-

“By consent of both parties, the matter is referred to the Mediation Centre attached with this Bench.

2.Both parties shall appear before the Mediation Centre on 28.02.2024, without awaiting any notice from the Mediation Centre.

3.The Mediation Centre is directed to appoint a Mediator in this matter. The Mediator shall, file his report after the Mediation process is completed.

4.List the matter on 20.03.2024 after receiving the Mediation Report. ”

5.After mediation, The Mediation and Conciliation Centre attached to this Bench had filed its report, dated 23.04.2024, annexing the settlement agreement made between the parties, dated 23.04.2024, which is already on record.



6.As per mediation report, dated 23.04.2024, it is noted that mediation was completed, as per the agreement entered into between the parties, dated 23.04.2024. The terms of the agreement, dated 23.04.2024 are being reproduced herein below:-

“6.The following statement has been arrived at between the parties hereto:-

A. The Petitioner and Respondent are agreed to settle the case before Mediation.

B.The Petitioner and Respondent handed over Jewels mutually.

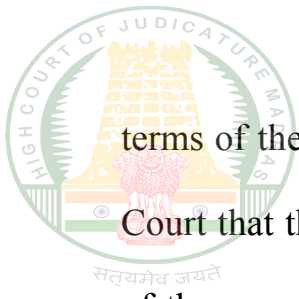
C.The respondent is agreed to give Rs.3,50,000/-(Rupees three Lakhs and Fifty thousand to the petitioner) as full and final settlement. The petitioner already received Rs.75,000/- and today the Petitioner is received Rs.2,75,000/- from respondent.

D.The Petitioner and respondent are agreed to file appropriate steps to dissolve their marriage held on 08.02.2021 before the competent court, excluding all the allegations made by each other.

E.The Petitioner and Respondent are agreed that they don't claim any legal proceedings in future.

7.By signing this agreement the parties hereto state that they have no further claims or demands against each other with respect to Tr.C.M.P(MD) No. 734/2023 (Case No) and all disputes and differences in this regard have been amicably settled by the Parties hereto through the process of Conciliator/ Mediation. ”

7.Today, when the matter is being taken up, Mr.A.Mohan, learned counsel for the petitioner and Mr.Santha Suresh Santhagunam, learned counsel for the respondent submit that both the parties have entered into compromise and settled the matter amicably, in



terms of the agreement entered into between them dated 23.04.2024. Thus, they pray this Court that the present Transfer Civil Miscellaneous Petition may be disposed of, in terms of the agreement entered into between the parties, dated 23.04.2024, as now there is no cause of action exists in the present Transfer Civil Miscellaneous Petition.

8. Accordingly, after considering the arguments as advanced by the learned counsels for the parties and after perusal of the mediation report filed by the Mediation and Conciliation Centre attached to this Bench, dated 24.04.2024 as well as the settlement agreement entered into between the parties, dated 23.04.2024 and also considering the fact that the parties have entered into compromise, this Court deems it appropriate that no useful purpose will be served in keeping this Transfer Civil Miscellaneous Petition pending before this Court, as now there is no cause of action exists in the present Transfer Civil Miscellaneous Petition.

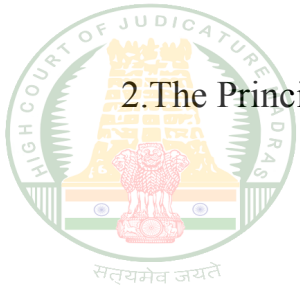
9. Accordingly, the Transfer Civil Miscellaneous Petition is finally disposed of, in terms of the agreement entered into between the parties, dated 23.04.2024. The file is consigned to record. No costs. Consequently, connected Miscellaneous Petition is closed.

10-10-2025

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To

1. The Principal District Judge,
Thoothukudi.



2. The Principal District Judge, Virudhunagar at Srivilliputhur.



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