



Tr.C.M.P No.348 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :31.07.2025

CORAM:

THE HON'BLE MR. JUSTICE P.B. BALAJI

Tr.C.M.P.No.348 of 2024 and CMP No.7165 of 2024

J.Kiruthiga

... Petitioner

vs

Dinesh Babu

... Respondent

Petition filed under Section 24 of Civil Procedure Code to withdraw H.M.O.P.No.5683 of 2023 on the file of II Additional Family Court, Chennai and transfer the same to Family Court, Dharmapuri.

For Petitioner : Ms.V.Suguna

For Respondent : Mr.M.Himavanth

ORDER

The parties were referred to Mediation Centre and they appeared before the Mediator and pursuant to the order dated 03.06.2025, the parties have also reached an amicable settlement which has been recorded by way of joint memo of compromise dated 24.07.2025 and it has been signed by both the parties



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along with their respective counsel.

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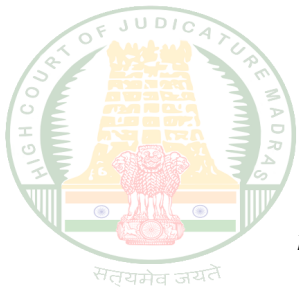
2. It is seen from the Joint Memo of Compromise that the parties have agreed to withdraw all the allegations made against each other and go for filing of a mutual consent divorce petition. The Joint Memorandum of Compromise is taken on file and the same reads as follows:

“JOINT MEMORANDUM OF COMPROMISE”

The petitioner and the respondent above named states as follows:

*The petitioner is the Wife and the Respondent is Husband.
The marriage between them was solemnized on 03.06.2022 at OM Thirumana Mandapam, SV Road, Dharmapuri District as per Hindu Rites and Customs. The marriage between the petitioner and respondent was not consummated. The petitioner went to her maternal home during August' 2022 and ever since the petitioner and the respondent are living separately. The respondent filed H.M.O.P.5683 of 2023 for divorce before the Hon'ble II Additional Family Court at Chennai. The petitioner filed this petition before this Hon'ble Court seeking for transfer of H.M.O.P.5683 of 2023 from II Additional Family Court at Chennai to the Family Court, Dharmapuri.*

That pending, transfer petition, the petitioner and respondent was referred to mediation. Wherein, the efforts to reunite the bondage between the petitioner and respondent could not fructify. The matrimonial bond between the petitioner and



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respondent had irretrievably broken down and could not be reconciled. The petitioner and respondent are of the firm belief that they cannot continue the marital relationship. Whereas to put an quietus to the issue and to avoid further delay and considering the future prospects and career of the petitioner as well as the respondent the petitioner and respondent arrived at amicably settlement wherein the petitioner and respondent had mutually agreed to get separated by Mutual Consent on the following terms:-

- 1. That the petitioner and respondent agrees to get separated by mutual consent by filing application for divorce by Mutual Consent before the Family Court, Chennai.*
- 2. That the petitioner and the respondent agrees to withdraw the allegations made as against each other.*
- 3. That upon presentation of the petition for Divorce by Mutual Consent before the Family Court at Chennai, the respondent shall withdraw the H.M.O.P.5683 of 2023 before the II Additional Family Court at Chennai.*
- 4. That the petitioner and Respondent had exchanged the jewels, silver and house hold articles that were presented to them during the course of marriage.*
- 5. That the petitioner and the respondent do not have any claim as against each other.*
- 6. That the petitioner assured that she has not and will not claim past, present and future maintenance from the respondent and the petitioner relinquishes the claim for alimony.*
- 7. That the petitioner and respondent assures that they will not lay any claim against each other regarding maintenance,*



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P.B.BALAJI.,J.

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immovable or movable properties acquired by either of them before or after the marriage.

8.That the petitioner and the respondent enters into this memorandum of compromises on their own volition without any threat or coercion or undue influence.

9. That the petitioner and the respondent agree to pass orders in the above Transfer application in terms of this memorandum of compromise.

Dated at Madras on this the 24th day of July 2025.”

3. In view of the terms of compromise, the |Tr.C.M.P No.348 of 2024 is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

31.07.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order

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To

1. The II Additional Family Court, Chennai.
2. The Family Court, Dharmapuri.

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