



TR.C.M.P.(MD)No.484 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.11.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.484 of 2025
and
C.M.P.(MD)No.13637 of 2025

Aishwarya @ Karthika,
D/o. Ramesh Kannan,
Door No.1/681, VRV Nagar,
Meenakshi Nagar, P&T Nagar,
Aanaiyur, Madurai.

... Petitioner

vs.

Surya Prakash,
S/o. Late. Chitharanjan,
Door No.143, Madurai Meenakshipuram,
Ayyancheri, Urappakkam,
Vandalur, Chengalpattu District.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to withdraw the proceedings in H.M.O.P. No.40 of 2025 on the file of the Subordinate Court, Chengalpattu and transfer the same to the Family Court, Madurai.

For Petitioner :Mr.S.Jaya Vasanthan
For Respondent :Mr.K.Sekar



TR.C.M.P.(MD)No.484 of 2025

WEB COPY

ORDER

This Transfer Civil Miscellaneous Petition has been filed by the Petitioner/Wife to withdraw the case in H.M.O.P.No.40 of 2025 on the file of the Subordinate Court, Chengalpattu and transfer the same to the Family Court, Madurai.

2. Heard Mr.S.Jaya Vasanthan, learned counsel for the petitioner and Mr.K.Sekar, learned counsel for the respondent.

3. The Co-ordinate Bench of this Court, vide order dated 29.08.2025, referred the matter to the Mediation and Conciliation Centre attached to this Bench. In compliance with the direction issued by the Co-ordinate Bench of this Court, the Mediation and Conciliation Centre attached to this Bench filed its report dated 07.11.2025, stating that the mediation was completed and an agreement was entered into between the parties on 07.11.2025. The terms of the agreement dated 07.11.2025 are reproduced herein below:-



TR.C.M.P.(MD)No.484 of 2025

“This Settlement Agreement entered into on 07.11.2025

between Aishwarya @ Karthika and Surya Prakash

WHEREAS

1. Disputes and difference had arisen between the parties hereto and Tr.C.M.P.(MD)No.484/2025 and C.M.P.(MD)No. 13637/2025 was filed before on 06.08.2025 before the Madurai Bench of Madras High Court, Madurai.

2. The matter was referred to mediation/conciliation vide an order dated 29.08.2025 passed by The Hon'ble Mrs. Justice. S.SRIMATHY

3. The parties agreed that R.Anjana would act as their Mediator/Conciliator.

4. Several meetings were held during the process of Mediation/Conciliation from 02.09.2025 to 07.11.2025 and the parties with the assistance of the Mediator/Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and difference.

5. 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.

6. The following settlement has been arrived at between the parties hereto:

A. Both parties agrees for mutual consent for divorce and parties hereto shall withdraw all the above cases filed by them.



TR.C.M.P.(MD)No.484 of 2025

B. There shall not be any future claim between them.

C. Petitioner has received all the properties which was given at the marriage.

D. Petitioner has received D.D. amount Rs.3,50,000/- (three lakhs fifty thousands only) vide D.D.No.359102 dated 06.11.2025 drawn in State Bank of India, Urapakkam Branch, Chennai.

E. Both advocates here filed joint compromise memo regarding in H.M.O.P. No. 40/2025 on the file of Principal Sub Court, Chengalpattu and filed by the parties.

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.484/2025 and C.M.P.(MD) No. 13637/2025 and all disputes and difference in this regard have been amicably settled by the parties hereto through the conciliation/Mediation.”

4.Today, when the matter is being taken up, Mr.S.Jaya Vasanthan, learned counsel for the petitioner and Mr.K.Sekar, 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 07.11.2025. Thus, they prays this Court that the



TR.C.M.P.(MD)No.484 of 2025

present Transfer Civil Miscellaneous Petition may be disposed of, in terms of the agreement entered into between the parties, dated 07.11.2025, as now there is no cause of action exists in the present Transfer Civil Miscellaneous Petition.

5. The learned Counsel for the Respondent undertakes to withdraw the divorce petition filed by the Respondent/husband in H.M.O.P. No.40 of 2025 on the file of the Principal Sub Court, Chengalpattu, within one week from today.

6. The learned Counsel for both the Petitioner and the Respondent further submit that, upon withdrawal of H.M.O.P. No.40 of 2025 from the file of the Principal Sub Court, Chengalpattu, the Petitioner and the Respondent may file a petition for divorce by mutual consent under Section 13B of the Hindu Marriage Act, 1955, before the Family Court, Madurai, within ten days from the date of such withdrawal by the Respondent/husband. They also pray that, upon filing such a petition under Section 13B of the Hindu Marriage Act, 1955, the learned Family



TR.C.M.P.(MD)No.484 of 2025

Court, Madurai, may be directed to dispose of the same within the time stipulated by this Court.

7. Accordingly, after considering the arguments advanced by the learned counsel for the parties and upon perusal of the mediation report filed by the Mediation and Conciliation Centre attached to this Bench, dated 07.11.2025, as well as the settlement agreement entered into between the parties on 07.11.2025, and further considering the fact that the parties have mutually entered into a compromise, this Court deems it appropriate that no useful purpose would be served by keeping this Transfer Civil Miscellaneous Petition pending before this Court, as no cause of action now exists in the present Transfer Civil Miscellaneous Petition.

8. Accordingly, the Transfer Civil Miscellaneous Petition is finally **disposed of** in terms of the agreement entered into between the parties on 07.11.2025. It is made clear that both parties are directed to abide by the conditions stated in the said agreement and the direction issued by this Court.



TR.C.M.P.(MD)No.484 of 2025

WEB COPY

9. Further, this Court directs the Family Court, Madurai, to decide the divorce petition filed by both parties under Section 13(b) of the Hindu Marriage Act, 1955, expeditiously, within a period of two months from the date of filing of the petition, without going into technicalities of law. The Trial Court is also directed to send a copy of the divorce decree to the Registrar Judicial of this Court to be placed on record in this case.

The file is consigned to record. No costs. Consequently, the connected Miscellaneous Petition stands closed.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

20.11.2025

Nsr

To

- 1.The Subordinate Judge, Chengalpattu.
- 2.The Judge, Family Court, Madurai.



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TR.C.M.P.(MD)No.484 of 2025

SHAMIM AHMED, J.

Nsr

TR.C.M.P.(MD)No.484 of 2025

20.11.2025