



TR CMP(MD). No.491 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

TR CMP(MD). No.491 of 2025

and

CMP(MD)No.13755 of 2025

V.Kanaga Bharathi

... Petitioner

Vs.

G.Vijay

... Respondent

PRAYER :- Transfer Civil Miscellaneous Petition filed under section 24 of Civil Procedure Code to withdraw the proceeding in H.M.O.P.No. 47 of 2025 on the file of the Principal Subordinate Judge, Mayiladuthurai and transfer the same to Melur Sub Court, Madurai.

For Petitioner : Mr.M.Divakaran

For Respondent : Mr.K.Jeyamohan

ORDER

When the matter was taken up for hearing today, learned counsel appearing for petitioner as well as learned counsel appearing for respondent have submitted that the matter has been settled through



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mediation and Settlement Agreement has also been drawn, whereby both parties have agreed to as under:-

“SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT entered into on 09.02.2026 between
V.Kanagabharathi, D/o.Pandi
and
G.Vijay, S/o.Govindarajan

WHEREAS

1. Disputes and Differences had arisen between the parties hereto and Tr.CMP(MD) No. 491/2025 was filed on 11.08.2025 before this Hon'ble Madurai Bench of Madras High Court.
2. The matter was referred to mediation/ conciliation vide an order dated 16.12.2025 passed by Mr. Justice. Mohammed Shaffiq.
3. The parties agreed that Mr. M.M.Iqbal would act as their Mediator/Conciliator.
4. Several meetings were held during the process of Mediation/Conciliation from 06.01.2026 to 09.02.2026 and the parties have with the assistance of the Mediator/ Conciliator voluntarily arrived at an amicable solution resolving the above mentioned disputes and differences.
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. The respondent/husband hereby gives his unconditional consent for allowing Tr.C.M.P.(MD) No. 491 of 2025 and agrees for transfer of H.M.O.P. No. 47 of 2025 from the file of the Principal Subordinate Court, Mayiladuthurai, to the file of the Sub Court, Melur.



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B. Immediately upon transfer of the said H.M.O.P. to the Sub Court, Melur, on the next date of hearing, the petitioner/wife undertakes to file a memo expressing her willingness to dissolve the marriage by mutual consent, without admitting any of the allegations made in the original petition, and to co-operate for converting the proceedings into one under Section 13-B of the Hindu Marriage Act, 1955. If there are any practical difficulties in converting such petition for mutual consent divorce, both parties undertakes to immediately present a fresh petition for dissolution of marriage by mutual consent.

C. After the petition for mutual consent divorce is entertained by the Learned Judge and upon filing proof affidavit by both parties, the respondent/husband undertakes to return and hand over to the petitioner/wife all gold jewels, silver articles (as listed) and all household articles entrusted at the time of marriage. Simultaneously, the petitioner/wife undertakes to hand over to the respondent/husband all gold jewels presently in her custody as per the list annexed.

D. The exchange of the above articles shall take place before the Sub Court, Melur, and the same shall be recorded by way of memo before the learned Judge on the same date of hearing.

E. The petitioner/wife shall have permanent custody of the minor male child by name Hari balan. The respondent/husband hereby voluntarily relinquishes and waives any claim for custody or visitation rights in respect of the minor child, both present and future.

F. The petitioner/wife undertakes that she shall not claim any maintenance in addition to any rights in past, present or future, either for herself or on behalf of the minor child, from the respondent.

G. Both parties mutually agree that neither party shall initiate any criminal or civil proceedings against the other arising out of the matrimonial relationship and disputes between them.

H. Both parties agree to withdraw or take necessary steps



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to close any pending complaints, if any, arising out of their matrimonial disputes.

I. The parties further agree that this compromise shall constitute full and final settlement of all claims, including streedhana, maintenance, permanent alimony, custody, visitation and all other ancillary matrimonial rights.

J. The parties state that this compromise has been entered into voluntarily, in sound state of mind, and after fully understanding its legal consequences.

7. By signing this agreement the parties here to check that they have no further claims or demands against each other with respect to Tr. Cmp(MD). 491/2025 and all dispute Sun differences in this regard have been amicably settled by the parties here to through the process of Conciliation/mediation.”

2. This transfer civil miscellaneous petition stands allowed in terms of the above Settlement Agreement. The Settlement Agreement filed by the parties shall be treated as part and parcel of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

10.02.2026

Index :Yes/No
Web :Yes/No
Speaking/Non Speaking
rgm



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1. The Principal Subordinate Judge, Mayiladuthurai
2. The Melur Sub Court, Madurai



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MOHAMMED SHAFFIQ,J.

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