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Tr.CMP. No.9 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM :

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

TR.CMP No.9 of 2023
and C.M.P.No.339 of 2023

P.Divya

.... Petitioner

-Vs-

J.Badrinath

.... Respondent

Prayer : Transfer Civil Miscellaneous Petition under Section 24 of C.P.C., to withdraw the petition in H.M.O.P.No.922 of 2022 pending on the file of the Hon'ble Sub Court, Poonamallee, Thiruvallur District and transfer the same to the Hon'ble Sub Court, Tambaram, Chennai.

For Petitioner : Mr.P.Sidharthan

For Respondent : M/s. V.M.Thilagavathy

ORDER

This petition has been filed to withdraw the petition in H.M.O.P.No.922 of 2022 pending on the file of the Sub Court, Poonamallee, Thiruvallur District and transfer the same to the Sub Court, Tambaram, Chennai.



2. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3. When the matter is taken up for hearing, the learned counsel for the petitioner has produced a memo of compromise between the parties. Further, both parties agreed to settle issues and filing the mutual consent divorce petition before the Sub Court, Tambaram. Hence, , this Court is recorded a memo of compromise and the memo of compromise deed has been signed by both parties The terms of the memo of compromise deed para 6 and 7 are extracted hereunder:-

"6. Both Parties hereby agrees to record this duly signed and notarized Compromise Deed in Tr.C.M.P.No.9 of 2023 pending on the file of the Hon'ble High Court of Madras and as per the directions of the Hon'ble High Court, the 1st Party will withdraw his H.M.O.P.No.308 of 2023 pending on the file of the Sub Curt of Ambattur, Chennai and the 2nd Party will withdraw her H.M.O.P.No.180 of 2023 pending on the file of Sub Court of Tambaram, Chengalpattu District, Tamil Nadu to enable filing Mutual Consent Divorce Petition.

7. The 1st Party declares that he will sign and send the Compromise Deed, Mutual Consent Divorce Petition, Special Power of Attorney, Dispense from Appearance Petition and vakalat nama duly attested by the Notary of new Jersey. U.S.A., The 1st Party agrees to appear by video call or V-Link (Virtual Model) as per Court directions during the time of filing the Mutual Consent Petition, as well as during



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the time of marking the Evidences in final hearing . If the Court requires, 1st Party's Special Power of Attroeny mother Mrs.J,.Meerabai W/o.S.Jayakumar may appear in person during the time of filing the Mutual Consent Divorce Petition as well as during the time of marking Evidences in final hearing. The 2nd Party hereby declares that she Will appear physically in Court during the time of filing the Mutual Consent Divorce Petition as well as during the time of making evidence in final hearing."

4. In view of the memo of compromise deed dated 27.11.2023 entered into between the parties, this Transfer Civil Miscellaneous Petition is disposed of in terms of the compromise deed. The terms of compromise shall form part of the order in the Transfer Civil Miscellaneous Petition. Consequently, the connected miscellaneous petition is closed. No costs.

14.12.2023

Index : Yes/No
Internet : Yes/No
msrm

T.V.THAMILSELVI, J.



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To

- 1.The Sub Court, Poonamallee, Thiruvallur District.
- 2.The Sub Court, Tambaram.

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