

(2013) 09 MAD CK 0282

Madras High Court

Case No: C.R.P. (PD) No. 4495 of 2012

S. Valarmathi

APPELLANT

Vs

Dr. S. Venkatesan

RESPONDENT

Date of Decision: Sept. 27, 2013

Hon'ble Judges: M. Jaichandren, J

Bench: Single Bench

Advocate: T. Murugamanickam, for the Appellant; V. Kalyana Raman for M/s. Aiyer and Dolia, for the Respondent

Final Decision: Disposed Off

Judgement

@JUDGMENTTAG-ORDER

M. Jaichandren, J.

The above Civil Revision Petition is filed against the fair and final order dated 21.09.2012 made in I.A. No. 99 of 2011 in H.M.O.P. No. 77 of 2011 on the file of the learned Sub Court, Tiruchengode insofar as it is against the petitioner. This civil revision petition was referred for mediation to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, by the order of this Court, dated 23.07.2013.

2. A communication, dated 25.09.2013, of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, enclosing a copy of its Mediation Report, dated 10.09.2013, has been received, and in the said Mediation Report, it is stated as follows:-

Both the parties appeared before the Centre along with their Counsel. Matter has been settled between them as per the terms cited in the Mediation Agreement enclosed. Hence the matter is sent back to the Hon"ble Court.

3. As the parties have arrived at a settlement in terms of the Mediation Agreement, dated 10.09.2013, this petition is listed for passing orders in terms of the said

Mediation Agreement.

4. The Mediation Agreement, dated 10.09.2013, signed by the parties and their respective counsel, reads as follows:-

Both sides, out of their own volition and without any pressure or coercion from any side have agreed as follows:

1. The Respondent has agreed to pay a sum of Rs. 5,50,000/- (Rupees five lakhs and fifty thousand only) as permanent alimony to the Petitioner in full and final settlement of all petitioner's claims under any head whatsoever.
2. The Petitioner and the Respondent have both agreed to file a petition for divorce by mutual consent under sec. 13B of the Hindu Marriage Act, 1955 for dissolving their marriage.
3. The Respondent agrees to deposit the entire amount of the permanent alimony to the account of the pending HMOP. No. 77/2011 (Sub Court, Thiruchengode) or to the credit of the 13B petition within 3 months from the date of filing the petition u/s 13B of the Hindu Marriage Act, 1955. The Petitioner shall be entitled to withdraw the entire amount upon completion of the 13B Proceedings.
4. The parties shall duly exchange the respective articles and jewelry as per attached list at the time of the enquiry in the section 13B Petition.
5. Both parties declare that, upon the completion of the section 13B proceedings, they shall withdraw all or any pending legal proceedings between them and no party shall have any other claim or demand under any head whatsoever against the other party.
6. Petitioner and Respondent declare that there is no further claim or counter claim against each other from the date of this mutual agreement signed at the Mediation Centre.

Dated at Chennai on this the 10th day of September 2013

In terms of the settlement arrived at between the parties, which is recorded under the Mediation Agreement, dated 10.09.2013, and in terms of the Mediation Report, dated 10.09.2013, before the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, this civil revision petition is disposed of, recording the terms of the Mediation Agreement, dated 10.09.2013. The terms of the Mediation Agreement, dated 10.09.2013 and the Mediation Report, dated 10.09.2013, of the Mediation Centre, shall form part of the order. Connected M.P. is closed.