

R. MANJULA

v.

V. RAJA

(Transfer Petition (C) No. 458 of 2007)

JANUARY 20, 2009

**[DR. ARIJIT PASAYAT AND ASOK KUMAR
GANGULY, JJ.]**

Matrimonial dispute – Transfer Petition – Wife seeking transfer of case from Nasik (Maharashtra) to Vellur (Tamilnadu) – Parties directed to appear before Mediation Centre, Vellur – Thereafter filing a joint compromise memo that the parties willing to live together along with their children at Vellur – Proceedings closed – Transfer Petition disposed of accordingly.

CIVIL ORIGINAL JURISDICTION : Transfer Petition (C) No. 458 of 2007.

B. Sridhar, for the Petitioner.

G. Sivabalamurugan, Y. Arunagiri and L.K. Pandey, for the Respondent.

The Judgment of the Court was delivered by

DR. ARIJIT PASAYAT, J. 1. This transfer petition has been filed by the petitioner-wife seeking transfer of H.M.P. No.289 of 2005 titled *V. Raja v. R. Manjula* pending in the Court of learned Civil Judge, Senior Division, Nasik, Maharashtra. Prayer is to transfer the case to Family Court at Vellur District, Tamil Nadu. During the pendency of the matter, a Bench of this Court directed the parties to appear before the District Mediation Centre, Vellore to explore the possibility of setting the disputes. By report dated 4.11.2008 the Mediation Centre has reported as follows:

- A "The parties have appeared and advises given.
Parties given time to think and decide. Parties filed joint
compromise memo. Joint compromise memo recorded.
The Mediation Centre has successfully conducted enquiry
as per the directions of Honourable Supreme court Legal
B Services Committee. Parties are now living together after
compromise efforts.

This information submitted to Honourable Supreme
Court Legal Services Committee."

- C 2. Learned counsel for the parties has also filed a joint
compromise memo which reads as follows:

- D "We both appeared before Vellore District Mediation
Centre, Vellore (Tamil Nadu State) for five dates (i.e.) on
17.10.2008, 31.10.2008, 7.11.2008 14.11.2008 and
28.11.2008. We both were advised by Honourable
committee Members. Sufficient time was granted to think
and decide the issue. After consultation of our elders and
as per benevolent advice of Mediation Centre we are
E whole heartedly willing to live together along with our
children at our native village, Arcot, Vellore District in Tamil
Nadu."

- F 3. In view of the aforesaid happy situation, nothing needs
to be done in these proceedings except to direct that further
continuance of H.M.P. No.289 of 2005 is not necessary. The
proceedings stand closed.

4. The transfer petition is accordingly disposed of.

G.N.

Transfer petition disposed of.