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ITEM NO.5

COURT NO.2

SECTION XII

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).14672/2012

(From the judgement and order dated 23/12/2011 in CMA No.2144/2004 of The HIGH COURT OF MADRAS)

D.E. TAMILARASAN

Petitioner(s)

VERSUS

P. ABIRAMI

Respondent(s)

(With appln(s) for vacating interim order and prayer for interim relief and office report)

Date: 29/08/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI  
HON'BLE MR. JUSTICE V. GOPALA GOWDA

For Petitioner(s) Mr.Senthil Jagadeesan,Adv.

For Respondent(s) Ms. Rukhsana Choudhury,Adv.

UPON hearing counsel the Court made the following  
O R D E R

While issuing notice of the special leave petition on 9.5.2012, this Court had directed the petitioner to deposit a sum of Rs.1 lakh in the Registry of this Court and made it clear that the amount shall be payable to the respondent irrespective of the result of the special leave petition. The Court also directed the petitioner to pay Rs.20,000/- per month as interim maintenance till the disposal of the special leave petition.

Learned counsel for the respondent says that the petitioner has not paid the amount of monthly maintenance from November, 2012 to August, 2013 and as on today a sum of Rs.2,00,000/- (rupees two lakhs) is payable by him. A similar statement had been made by the learned counsel for the respondent on 19.8.2013, on which date the Court passed the following order:

"Issue notice to the petitioner as to why he may not be punished for having failed to comply with the direction given by this Court for payment of interim maintenance to the respondent at the rate of Rs.20,000/- (Rupees twenty thousand) per month.

[ Usha Bhardwaj ]  
A.R-cum-P.S.

[Phoolan Wati Arora ]  
Court Master

Before this order could be signed Shri Senthil Jagadeesan learned counsel for petitioner made a request for grant of two days time to seek instructions from his client whether or not he is ready to pay the arrears of interim maintenance and amicably settled the matter with the respondent by paying her substantial amount in the form of

permanent alimony.

List the case on 22.08.2013."

When the case was taken up on 22.8.2013, learned counsel for the parties gave out that there is no possibility of an amicable resolution of the matrimonial dispute between their clients.

Learned counsel for the petitioner says that his client has already sent a demand draft of Rs.2.00.000/- to the respondent and the same is likely to be received by her within few days. He then stated that the petitioner may be allowed to withdraw the special leave petition.

In view of the statement made by the learned counsel for the petitioner that his client has already sent a demand draft of Rs.2,00,000/- to the respondent, we accept his prayer and grant leave to the petitioner to withdraw the special leave petition, which is dismissed as such.

| (Parveen Kr.Chawla)  
| Court Master  
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| | (Phoolan Wati Arora)  
| | Court Master  
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