

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL.) NO.563 OF 2008

S.VISALAKSHI ...Petitioner(s)

VERSUS

SURESH RAMNATHAN alias ALAGAPPAN ...Respondent(s)

O R D E R

In this petition filed under Section 25 of the Code of Civil Procedure, the petitioner has prayed for transfer of H.M.A. No.244 of 2007, titled as "Suresh Ramnathan versus S. Visalakshi alias Deivanani" from the court of Additional District Judge, Jalandhar, Punjab to the court of District Judge, Karaikudi, Sivagangai, Tamil Nadu.

On 12.3.2010, this Court had, after hearing the parties, passed the following order:

"The petitioner Smt. S. Visalakshi is also present in person. In reply to the Court's query, Smt. Visalakshi stated that she will accept the demand drafts of Rs.25,00,000/-, which the

2

respondent will deliver to her in Chennai. She further states that she will also accept the stridhan articles to be handed over by the respondent.

The respondent is directed to deliver Demand Drafts as well as articles of stridhan to the petitioner on or before 22nd March, 2010.

The respondent is further directed to give a Demand Draft of Rs.15,000/- in the name of the petitioner towards her travelling expenses, etc. to enable her to come to Delhi.

List the case on 26th March, 2010.

On that day, both the parties shall appear in person. They are also expected to file a joint application for grant of a decree of divorce by mutual consent under Section 13B of the Hindu Marriage Act."

On 25th March, 2010, the parties jointly filed

I.A. No.4 of 2010 and prayed for dissolution of their marriage by grant of a decree of divorce by mutual consent in terms of Section 13B of the Hindu Marriage Act, 1955 (for short, 'the Act').

Today, both the parties have again appeared in person and reiterated that their marriage be dissolved by grant of a decree of divorce by mutual consent. Learned  
3

counsel for the petitioner also stated that in compliance of order dated 12.3.2010, the respondent has delivered to his client Fixed Deposit Receipts of Rs.25,00,000/- and also delivered stridhan articles apart from giving a demand draft of Rs.15,000/- towards her travelling expenses. Learned counsel for the parties further stated that H.M.A. No.244 of 2007, pending in the court of Additional District Judge, Jalandhar, Punjab has been withdrawn.

In view of the above, I.A. No.4 of 2010 is allowed and a decree of divorce is granted by mutual consent in terms of Section 13B of the Act.

The custody of the minor child S. Nachammai shall remain with the petitioner.

As a sequel to the grant of decree of divorce by mutual consent, the proceedings of H.M.O.P. No.93 of 2008 titled S. Visalakshi v. Suresh Ramnathan @ Alagappan pending before Family Court at Devakotia, within the State of Tamil Nadu, are quashed.

The proceedings of following criminal cases/complaint instituted by the petitioner, which are pending in the court of Judicial Magistrate, First Class, Karaikudi shall also stand quashed:

4

- a) Criminal Complaint MP No.4385 of 2007 under Sections 498A and 406 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act;
- b) Complaint bearing No.918 of 2008 under the Domestic Violence Act;
- c) Maintenance claim (MC-9 of 2008); and
- d) Petition for impounding passports (Case

