

ITEM NO.12

COURT NO.3

SECTION XVIA

SUPREME COURT LOK ADALAT

Transfer Petition (C)No.563/2008

S. VISALAKSHI

... Petitioner (s)

Versus

SURESH RAMNATHAN @ ALAGAPPAN

... Respondent (s)

(with appln.(s) for stay and office report)

Date : 07/02/2009 The above petition was taken up today for
settlement.

MEMBERS OF LOK ADALAT :

HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE B. SUDERSHAN REDDYFor Petitioner (s) Mr. V. Balaji, Adv.
Mr. Pravesh Thakur, Adv.
Mr. Narender Kumar, Adv.

For Respondent (s) Mr. Tapesk Kumar Singh, Adv.

This matter was taken up at the Supreme Court Lok Adalat with the consent of the parties and agreement through their counsel.

The petitioner is present with her brother. The respondent is present with his parents. Their counsel are also present.

The marriage of the petitioner with the respondent took place in 2004. A female child was born out of the wedlock in the year 2006. Differences arose between the parties which have led to the following cases :

By petitioner against respondent/his parents(Karaikudi)

- (i) Criminal Complaint MP No.4385 of 2007 under Section 498A and 406 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act;
- (ii) Complaint bearing No.918 of 2008 under the Domestic Violence Act;

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- (iii) Petition for restitution of conjugal rights (HMOP No.93/2008);
- (iv) Maintenance claim (MC-9 of 2008); and
- (v) A Petition for impounding passports (Case NO.919/2008).

By the respondent

Petition for divorce (HMA No.244 of 2007) filed before the Addl. District Judge, Jalandhar.

After detailed negotiations parties have reached and reported the following settlement :

(a) The respondent shall pay a sum of Rs.10,00,000/- (rupees ten lakhs) to the petitioner in full and final settlement towards her claim for maintenance/alimony. The respondent shall pay the said sum of Rs.10,00,000/- within three months and ensure that the amount is kept in fixed deposit in the name of petitioner for three years with a Nationalised Bank at Karaikudi. The petitioner shall be entitled to the said amount absolutely.

(b) The respondent shall pay a sum of Rs.15,00,000/-(rupees fifteen lakhs) towards the maintenance of their minor daughter, S. Nachammai. The said amount shall be paid by respondent in four quarterly instalments of Rs.3,75,000/- each on or before 7.5.2009, 7.8.2009, 7.11.2009 and 7.2.2010. The respondent shall ensure that the said amount is kept in fixed deposit in a Nationalised Bank at

Karaikudi in the name of the minor daughter under the guardianship of her mother(petitioner) for a period of three years renewable thereafter from time to time till she attains majority. The petitioner shall be entitled to draw only the interest in regard to the said deposits made in the name of minor daughter, for her maintenance and education.

(c) The petitioner shall withdraw all the cases/complaints filed by her against respondent and his family. The respondent shall withdraw the divorce petition filed by him at Jalandhar.

(d)The parties shall file a joint petition for divorce by consent by way of an application in this transfer petition before the Supreme

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Court. The relief of mutual divorce will be granted if all the amounts are deposited and conditions are fulfilled.

Subject to the aforesaid payments, the respondent will have no liability either towards the petitioner or the minor child. All "streedhan" articles of the petitioner will be returned before the learned Magistrate, Karaikudi, Tamil Nadu on the next date of hearing.

The passports of the parents of the respondent which have been impounded/deposited shall be returned to them. The petitioner will have no objection in this regard.

(S. VISALAKSHI)

(COUNSEL)

(SURESH RAMNATHAN @ ALAGAPPAN)

(COUNSEL)

.....J.
(R.V. RAVEENDRAN)

.....J.
(B. SUDERSHAN REDDY)