

## IN THE SUPREME COURT OF INDIA

## CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 897 OF 2012

SANDHYA SURESH

PETITIONER(s)

VERSUS

SURESH V.V.

RESPONDENT(s)

O R D E R

On December 10, 2012, at the request of the respondent, who appears in person, the matter was referred to the Mediation Centre, Kerala High Court (for short "the Centre") for exploring the possibility of settlement between the parties through the process of mediation.

2. The parties appeared before the Centre and due to the efforts of the Mediator, nominated by the Centre, a memorandum of settlement was executed between the parties. The Centre has forwarded the memorandum of settlement.

3. Today, Mr. Suresh V.V., respondent submits that the above memorandum of settlement is not voluntary and he was forced to sign the same. He

expresses his inability to accept the above settlement.

4. Having regard to the above, we are inclined to ignore the memorandum of settlement forwarded by the Center to this Court with forwarding letter dated January 21, 2013.

5. We have heard Mr. C.V. Francis, learned counsel for the petitioner and Mr. Suresh V.V., respondent insofar as transfer of matrimonial case being H.M.A. No. 576 of 2012, titled as "Suresh V.V. vs. Sandhya Suresh", from the Family Court, Faridabad, Haryana to the Family Court, Palakkad, Kerala is concerned.

6. Respondent has no objection if the above matrimonial case is transferred from the Family Court, Faridabad to the Family Court, Palakkad, Kerala.

7. We, accordingly, allow the transfer petition and transfer matrimonial case being H.M.A. No. 576 of 2012, titled as "Suresh V.V. vs. Sandhya Suresh", from the Family Court, Faridabad, Haryana to the Family Court, Palakkad, Kerala. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

8. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible. The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

9. No costs.

.....J.  
( R.M. LODHA )

.....J.  
( J. CHELAMESWAR )

.....J.  
( MADAN B. LOKUR )

NEW DELHI  
APRIL 1, 2013.

ITEM NO.66

COURT NO.5

SECTION XVIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

TRANSFER PETITION (CIVIL.) NO(s). 897 OF 2012

SANDHYA SURESH

Petitioner(s)

VERSUS

SURESH V.V.

Respondent(s)

(With appln(s) for stay and office report )

Date: 01/04/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA  
HON'BLE MR. JUSTICE J. CHELAMESWAR  
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Petitioner(s) Mr. C.V. Francis, Adv. for  
Mr. Ramesh Babu M.R.,Adv.

For Respondent(s) Respondent-In-Person

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

Transfer Petition is allowed in terms of signed order.

|(Pardeep Kumar)  
|Court Master

| |(Renu Diwan)  
| |Court Master

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[SIGNED ORDER IS PLACED ON THE FILE]