



CRL.R.C.(MD)No.300 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD) No.300 of 2024

and

C.M.P.(MD)No.6923 of 2024

Beril Nisha,
W/o. Ashwanth, D/o. Duraipandi,
No.16/7, K.T.C.Nagar Main Road,
Tirunelveli District.

Petitioner

Vs

V.Ashwanth,
S/o. Vetrimurugan, Vasantham City,
Vettuvapalayam, Nasiyanur, Erore District.

Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of the Civil Procedure Code, 1908, to withdraw the case in I.D.O.P.No. 613 of 2023 on the file of the Family Court, Erore and transfer the same to the Family Court, Tirunelveli.

For Petitioner

:Mr.J.Selvin Rajesh

for M/s.Dictum Law Firm

For Respondent

: Mr. R.Babu Jaganath



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ORDER

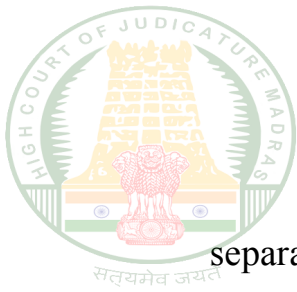
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This case is listed before this Court for rehearing today, as per the order, dated 15.09.2025, of the Honourable The Chief Justice of this Court.

2.This application for transfer of the case invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband, viz., V.Ashwanth, has filed I.D.O.P. No. 613 of 2023 in the Family Court, Erode seeking for divorce from his Wife, viz., Beril Nisha, which is sought to be transferred by the Wife to the Family Court, Tirunelveli.

3.Heard Mr.J.Selvin Rajesh, learned Counsel for the petitioner and Mr.R.Babu Jeganath, learned Counsel for the respondent and perused the materials placed on record, apart from the pleadings of the parties.

4.Mr.J.Selvin Rajesh, learned Counsel for the petitioner submits that by mutual consent, under Section 13B of the Hindu Marriage Act, 1955, a divorce decree has been granted and both the parties are living



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separately and now, there is no dispute arose between them. Thus, the learned Counsel for the petitioner, on the instruction of his client, submits that he may be permitted to withdraw the present Transfer Civil Miscellaneous Case. He has also made an endorsement to that effect.

5.Mr.R.Babu Jaganath, learned Counsel for the respondent has no objection to the prayer made by the learned Counsel for the petitioner.

6.Accordingly, in view of the submission of the learned Counsel for the petitioner, this Transfer Civil Miscellaneous Petition is dismissed as withdrawn. Interim order, if any, granted stands vacated and the file is consigned to record. No order as to costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
cmr
To

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- 1.The Judge, Family Court, Erode.
- 2.The Judge, Family Court, Tirunelveli.

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SHAMIM AHMED, J.

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