



TR.C.M.P.(MD)No.14 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.11.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

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and

C.M.P.(MD)No.335 of 2025

Jovitha, W/o. Victor Raj
No.630
G.R.Nagar
6th Street
Near Modern Medical
K.Pudur
Madurai

... Petitioner

vs.

K. Victor Raj
S/o. Kathirvel
No.42
Ramasamy Nagar
V.K.Road
Coimbatore

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to Withdraw the case in the O.S.No.1211 of 2024 on the file of I Additional District Judge, Coimbatore and transfer the same to the file of I Additional District Court/Family court, Madurai for disposal of the same on merits in accordance with law.



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For Petitioner :Mr.K.Althaf Sheriff for
M/S.Ajmal Associates

For Respondent :Mr.V.Sasikumar

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in O.S.No.1211 of 2024 pending on the file of the I Additional District Judge, Coimbatore, and transfer the same to the file of I Additional District Court/Family Court, Madurai.

2.Heard Mr.K.Althaf Sheriff, learned counsel for M/S.Ajmal Associates appearing for the petitioner and Mr.V.Sasikumar, learned Counsel appearing for the respondent.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 22.08.2014. Out of their wedlock, they were blessed with one baby girl, namely, Jesvika Vivillia, aged about 7 years. Due to difference of opinion, the respondent/husband has filed IDOP.No.866 of 2023 before the Additional Family Court, Coimbatore,



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seeking divorce and has also filed OS.No.1211 of 2024 before the I Additional District Court, Coimbatore, to produce the original sale deed registered, vide Doc.No.2954 of 2014 on the file of Ganapathy SRO, Coimbatore. Seeking transfer of the above OS.No.1211 of 2024 from the file of I Additional District Court, Coimbatore to the file of I Additional District Court/Family Court, Madurai, the present Transfer Civil Miscellaneous Petition has been filed.

4.The Co-ordinate Bench of this Court, vide order dated 25.04.2025, while referring the matter to the Mediation and Conciliation Centre attached to this Bench, had passed the following order, :-

“Today, when the matter is taken up for hearing, the learned counsel appearing on either side requested this Court that the matter may be referred to Mediation.

2.Considering the request made by the learned counsel on either side, this matter is referred to Mediation and Conciliation Centre attached to this Bench.

3.The Mediation Centre shall appoint a Mediator in this case. Both the parties are directed to appear before the



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Mediation Centre on the date fixed by the learned Mediator,

without fail. Registry is also directed to issue notice to the parties to appear before the Mediation Centre on the date to be fixed by the learned Mediator.

4.List the matter, along with a report from the Mediation, on 13.06.2025.

5.Interim stay already granted by this Court is extended till then. ”

5.After mediation, The Mediation and Conciliation Centre attached to this Bench had filed its report, dated 24.09.2025, which is already on record, and as per the mediation report, dated 24.09.2025, it is seen that the mediation completed and no agreement was reached between the parties.

6.Mr.K.Althaf Sheriff, learned counsel for M/S.Ajmal Associates appearing for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 400 kms., approximately up and down from Madurai to Coimbatore, for all the Court hearings and also she do not have any finance to meet the travel and other incidental



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expenses. It was further submitted that even though the petitioner made

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an earnest effort to facilitate a settlement with the respondent, due to the non-cooperation of the respondent, mediation failed and no agreement was reached between the parties. Thus, he prays that this Court may transfer the case in OS.No.1211 of 2024 from the file of the I Additional District Court, Coimbatore to the file of I Additional District Court/Family Court, Madurai.

7.Mr.V.Sasikumar, learned counsel for the respondent has made objections to the submissions made by the learned counsel for the petitioner and to transfer the case filed by the respondent in OS.No.1211 of 2024, as prayed for by the petitioner, as it is also equally inconvenience for the respondent to attend all the Court hearings before the Court, to which, the case filed by him, is now sought to be transferred by the petitioner.

8.Accordingly, after considering the arguments as advanced by the learned counsel for the parties, considering the fact that the petitioner,



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being a lady, would be facing difficulty to travel about more than 400 kms approximately up and down to attend all the Court hearings before the I Additional District Court, Coimbatore, where O.S.No.1211 of 2024 is pending and that she is also facing finance constraint to meet travel and incidental expenses and also considering the fact that due to the non-cooperation of the respondent, mediation failed and no agreement was reached between the parties and also considering the averments made in the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, this Transfer Civil Miscellaneous Petition is **allowed**, as prayed for. The case in OS.No.1211 of 2024, on the file of the I Additional District Court, Coimbatore, is hereby ordered to be withdrawn and transferred to the file of the I Additional District Court/Family Court, Madurai. The learned I Additional District Judge/Family Judge, Madurai, is directed not to give any adjournment to either of the parties unless there is any cogent reason or stay by any higher Court and decide the case, if the same is not already decided, on merits and in accordance with law, expeditiously. No costs. Consequently, connected Civil Miscellaneous Petition is closed.



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9.Registry is directed to communicate this order to the I Additional District Court/Family Court, Madurai as well as to the I Additional District Court, Coimbatore, for its necessary compliance and information, within a period of 10 days from today.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

14.11.2025

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To

- 1.The I Additional District Judge, Coimbatore.
- 2.The I Additional District Judge/Family Judge, Madurai.



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SHAMIM AHMED, J.

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