



TR.C.M.P.(MD)No.172 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.172 of 2025
and
C.M.P.(MD)No.4223 of 2025

Ishwarya,
D/o.Murugan,
No.5/38, Ponnammal Street,
Karivalanthanallur, Sankarankovil,
Tenkasi District.

... Petitioner

vs.

Rengarajan,
S/o. Baskaran,
No.16/13, Mani Bhavanam,
Netaji Street, Sri Rangam Taluk
Tiruchirapalli District.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to withdraw the case in H.M.O.P.No. 20 of 2025 on the file of the Sub Court, Lalgudi and transfer the same to the file of Sub Court, Tenkasi.

For Petitioner :Mr.C.Venkatesh
For Respondent :No Appearance



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ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in H.M.O.P.No.20 of 2025 pending on the file of the Sub Court, Lalgudi, and transfer the same to the file of the Sub Court, Tenkasi.

2.Heard Mr.C.Venkatesh, learned Counsel for the petitioner.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 08.09.2022, according to Hindu Rites and Customs. Due to difference of opinion, they are living separately and the respondent/husband has filed H.M.O.P.No.20 of 2025 before the Sub Court, Lalgudi, seeking divorce on the ground of desertion and dereliction of duty as wife. Seeking transfer of the above case in H.M.O.P.No.20 of 2025 from the file of Sub Court, Lalgudi, to the file of Sub Court, Tenkasi, the present Transfer Civil Miscellaneous Petition has been filed.



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4.The Co-ordinate Bench of this Court, vide order dated 23.06.2025, 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 for the petitioner as well as the respondent would submit that the matter may be referred to mediation for resolving the issue.

2.Considering the request of the both side counsel, this matter is referred to Mediation and Conciliation Centre, attached to this Bench.

3.Both the parties are directed to appear before the Mediation Centre on 02.07.2025. In the mean time, the Mediation Centre shall appoint a mediator in this case. The Mediator is directed to submit a report on or before 11.08.2025.

4.Registry is directed to list the matter before this Court 12.08.2025, along with report.

5.Interim order already granted by this Court is extended until further orders. ”

5.After mediation, The Mediation and Conciliation Centre attached to this Bench had filed its report, dated 07.08.2025, which is already on record, and as per the mediation report, dated 07.08.2025, it is seen that



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the mediation completed and no agreement was reached between the parties.

6.Mr.C.Venkatesh, learned Counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 575 kms., approximately up and down from Tenkasi to Trichy, for all the Court hearings and also she do not have any finance to meet the travel and other incidental expenses. It was further submitted that even though the petitioner made 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 H.M.O.P.No.20 of 2025 from the file of the Sub Court, Lalgudi, to the file of Sub Court, Tenkasi.

7.Today, when the matter is being taken up, the learned counsel for the respondent is not present. Thus, it appears that the respondent is not interested to contest the case.



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8. Accordingly, after considering the arguments as advanced by the learned Counsel for the petitioner, considering the fact that the petitioner, being a lady, would be facing difficulty to travel about more than 575 kms., approximately up and down to attend all the Court hearings before the Sub Court, Lalgudi, where H.M.O.P.No.20 of 2025 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 matrimonial case in H.M.O.P.No.20 of 2025, on the file of the Sub Court, Lalgudi, is hereby ordered to be withdrawn and transferred to the file of Sub Court, Tenkasi. The learned Subordinate Judge, Tenkasi, 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 learned Subordinate Judge, Lalgudi, as well as to the learned Subordinate Judge, Tenkasi, for its necessary compliance and information, within a period of 10 days from today.

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

18.11.2025

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To

- 1.The Sub Judge, Lalgudi.
- 2.The Sub Judge, Tenkasi.



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SHAMIM AHMED, J.

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