



TR.C.M.P.(MD)No.312 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.11.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.312 of 2025
and
C.M.P.(MD)No.8176 of 2025

S.Subashini,
D/o.Sankaralingam,
W/o.R.Rejis,
D.No.424/B, Harveypatti,
Thiruparankundram,
Madurai - 625 005.

... Petitioner

vs.

R.Rejish,
S/o.Raju,
D.No.14/50, Ramasamy Vathiyar Veethi,
Irukoor, Coimbatore - 641 103.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the H.M.O.P.No.222 of 2025 pending on the file of the Additional Principal Family Court, Coimbatore and to transfer the same to the file of the Family Court, Madurai.

For Petitioner :Mr.C.Sundarvadivel
For Respondent :Mr.A.Balaji



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ORDER

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This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP.No.222 of 2025 pending on the file of the Additional Principal Family Court, Coimbatore, and transfer the same to the file of Family Court, Madurai.

2.Heard Mr.C.Sundaravadivel, learned counsel for the petitioner and Mr.A.Balaji, learned Counsel for the respondent.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 19.05.2016, according to Hindu Rites and Customs. Out of their wedlock, they were blessed with a female child, aged about 8 years and due to difference of opinion, they are living separately and the respondent/husband has filed HMOP.No.222 of 2025 before the Additional Principal Family Court, Coimbatore, seeking divorce. Seeking transfer of the above HMOP.No.222 of 2025 from the file of Additional Principal Family Court, Coimbatore, to the file of Family Court, Madurai, the present Transfer Civil Miscellaneous Petition has been filed.

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4.The Co-ordinate Bench of this Court, vide order dated 18.07.2025, 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 30.07.2025. 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 22.08.2025.

4.Registry is directed to list the matter before this Court 25.08.2025, 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 20.08.2025, which is already on



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record, and as per the mediation report, dated 20.08.2025, it is seen that the mediation completed and no agreement was reached between the parties.

6.Mr.C.Sundaravadivel, learned counsel 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 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 HMOP.No.222 of 2025 from the file of the Additional Principal Family Court, Coimbatore, to the file of Family Court, Madurai.

7.Mr.A.Balaji, learned counsel for the respondent has made objections to the submissions made by the learned counsel for the petitioner for transferring the case filed by the respondent in HMOP.No.



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222 of 2025, 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, 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 Additional Principal Family Court, Coimbatore, where HMOP.No. 222 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 HMOP.No.222 of 2025, on the file of the Additional Principal Family Court, Coimbatore, is hereby ordered to be withdrawn and transferred to the file of Family



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Court, Madurai. The learned Judge, Family Court, 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.

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

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

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To

- 1.The Additional Principal Family Judge, Coimbatore.
- 2.The Judge, Family Court, Madurai.

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SHAMIM AHMED, J.

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