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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20-11-2025**

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

TR CMP(MD) NO. 467 of 2025

and

CMP(MD) No.13080 of 2025

Dr.Vinothini Rani
Through her father D/o.K.Rajaprabhakran, No.9,
Balamurugan Kovil 5th Cross Street, Samathana Nagar,
Vilangudi, Madurai - 625 018.

Petitioner (s)

Vs

Evlyn Natasha (4 years Minor Female Child)
Through her father, Dr. Praveen, No.483, 2nd South Street,
Thiyagarajanagar, Tirunelveli - 11.

Respondent(s)

Prayer:
Transfer Civil Miscellaneous Petition filed under section 24 of Civil Procedure Code to withdraw the case in M.C.No.70 of 2024 pending on the file of Family Court, Tirunelveli and transfer the same Family Court, Madurai and tried along with M.C.No.208 of 2023 and 2 other cases on the file of Family Court, Madurai, for disposal of same on merits in accordance with law.

For Petitioner(s):

Mr.K. Raja Prabakaran

For Respondent(s):

Mr.J.Pearison Juhin Raja

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ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in MC.No.70 of 2024, on the file of the Family Court, Tirunelveli, and transfer the same to the file of Family Court, Madurai.

2.Heard Mr.K.Raja Prabakaran, learned counsel for the petitioner and Mr.J.Pearlson Juhin Raja, learned counsel for the respondent.

3.The petitioner is the mother and the respondent, who is aged about 4 years and is represented through her father as Guardian, namely, N.Praveen, is her daughter. The marriage between the petitioner and one N.Praveen was solemnized on 11.07.2016, according to Hindu Rites and Customs and out of their wedlock, they were blessed with a female child, namely, Evlyn Natasha/the respondent herein. Due to matrimonial dispute arose between the petitioner and her husband, the petitioner had left the matrimonial home and the husband, namely, N.Praveen, as Guardian of the respondent, has filed MC.No.70 of 2024 against the petitioner/wife before the Family Court, Tirunelveli, seeking maintenance. Seeking transfer of the above MC.No.70 of 2024 from the file of Family Court, Tirunelveli, to the file of Family Court, Madurai, the present Transfer Civil Miscellaneous Petition has been filed.

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4.Mr.K.Raja Prabakaran, learned counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 320 kms., approximately up and down from Madurai to Tirunelveli, for all the Court hearings and also she do not have any finance to meet the travel and other incidental expenses. Thus, he prays that this Court may transfer the case in MC.No.70 of 2024 from the file of the Family Court, Tirunelveli, to the file of Family Court, Madurai.

5.During the course of arguments, Mr.J.Pearlson Juhin Raja, learned counsel for the respondent has, on instructions from the husband of the petitioner, submitted that the petitioner's husband has no objection to transfer the MC.No.70 of 2024 pending on the file of the Family Court, Tirunelveli, to the file of Family Court, Madurai. Hence, it is not necessary to go into the merits or otherwise of the case.

6.Accordingly, in view of the submissions made by the learned counsel for the respondent, agreeing to allow this Transfer Civil Miscellaneous Petition, as prayed for, considering the fact that the petitioner, being a lady, would be facing difficulty to travel about more than 320 kms approximately up and down to attend all the Court hearings before the Family Court, Tirunelveli, where the HMOP.No.70 of 2024 is pending and that she is also facing finance constraint to meet travel and incidental expenses and also

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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 MC.No.70 of 2024, on the file of the Family Court, Tirunelveli, is hereby ordered to be withdrawn and transferred to the file of the Family 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, on merits and in accordance with law, expeditiously. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

7.Registry is directed to communicate this order to the learned Judge, Family Court, Tirunelveli 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 **20.11.2025**
Internet :Yes / No
NCC :Yes / No

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To

1.The Judge, Family Court, Tirunelveli.

2.The Judge, Family Court, Madurai

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