

TR.C.M.P.(MD)No.510 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.510 of 2023
and
C.M.P.(MD)No.11278 of 2023

Kaliswari @ Anitha,
W/o. Senthil,
D/o. Boominathan,
Door No.1/251A, Thulasi Street,
Sri Vel Nagar, Thiruppalai, Madurai,
Madurai District.

... Petitioner

VS.

Senthil,
S/o. Subramanian,
Door No.2/10, Sathanur Village,
Paambur Via, Muthukulathur Taluk,
Ramanathapuram District.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to withdraw the H.M.O.P.No.57 of 2023 on the file of the Sub Court, Muthukulathur and Transfer the same to the Sub Court, Madurai.

For Petitioner :Mr.G.Gomathi Sankar
For Respondents :Mr.M.Jerin Mathew



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ORDER

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 Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband, viz., Senthil has filed H.M.O.P.No.57 of 2023 in the Sub-Court, Muthukulathur, seeking for divorce from his wife, viz., Kaliswari @ Anitha, which is sought to be transferred by the Wife to the Sub-Court, Madurai.

3.Heard Mr.G.Gomthi Sankar, learned Counsel for the petitioner and Mr.M.Jerin Mathew, learned Counsel for the respondent and perused materials placed on record, apart from the pleadings of the parties.

4.It is the case of the Wife that she would have to travel a distance of more than 110 kms from Madurai to the Sub-Court, Muthukulathur, to

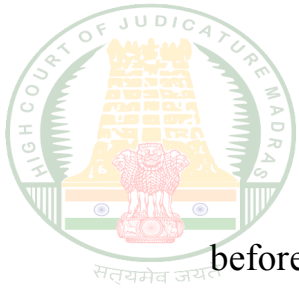


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effectively defend the case filed against her by the Husband. That apart, she also expresses difficulties to take care of her child, which relevant factors remain uncontroverted.

5.During the course of arguments, both the learned Counsel for the petitioner and the learned Counsel for the respondent have mutually agreed to transfer the case in H.M.O.P.No.57 of 2023 on the file of the Sub Court, Muthukulathur, to the file of the Sub Court, Madurai and they have also made endorsements to that effect in the affidavit filed in support of this Transfer Civil Miscellaneous Petition. Hence, it is not necessary to go into the merits or otherwise of the case.

6.In the result, in view of the mutual agreement between the parties and the endorsements made by the learned Counsel for the parties, agreeing to allow this Transfer Civil Miscellaneous Petition, as prayed for, this Transfer Civil Miscellaneous Petition is allowed, as prayed for. The matrimonial case in H.M.O.P.No.57 of 2023 on the file of the Sub Court, Muthukulathur, is hereby ordered to be withdrawn and transferred to the file of the Sub Court, Madurai. The parties are directed to appear



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before the Sub Court, Madurai on the next date of hearing and the parties shall not seek any unnecessary adjournment, unless there is any cogent reason. The Sub Court, Maudrai, may expedite the proceedings of the case expeditiously. Interim order, if any, granted stands vacated and the file is consigned to record. No costs. Consequently, connected miscellaneous petitions are closed.

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

14.10.2025

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To

1.The Sub Court, Muthukulathur.

2.The Sub Court, Madurai.



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SHAMIM AHMED, J.

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