



WEB COPY



TR CMP(MD) NO. 49
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-11-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

TR CMP(MD) NO. 499 of 2025

and

CMP(MD) No.13935 of 2025

A.E.Leenus Tafline

D/o. T.A. Ebenezer, Door No. 249-A/1

Subramani Street EB Colony Madurai -625 017, Now at Door No. 4

Russ Campus Chatrapatti Madurai -625 503

Petitioner(s)

Vs

S.Patric Joshua

S/o Samuel Gnanadurai

Door No. 7/3782

Kakkanji Nagar

Mullakadu Village

Thoothukudi -628005

Respondent(s)

Prayer:

Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code to withdraw DOP No.241 of 2025 from file of the Learned Family Court, Thoothukudi and transfer it to the file of the I Additional District Judge, Madurai.

For Petitioner(s):

Mr.C.Samuel Rabindranath



For Respondent(s):

Mr.R.Narmathan



ORDER

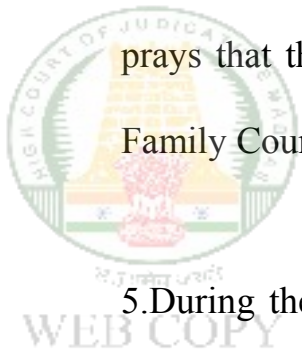
This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in DOP.No. 241 of 2025, on the file of the Family Court, Thoothukudi, and transfer the same to the file of I Additional District Judge, Madurai.

2.Heard Mr.C.Samuel Rabindranath, learned counsel for the petitioner and Mr.R.Narmathan, learned counsel for the respondent.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 18.08.2023, according to Christian Rites and Customs and out of their wedlock, they were blessed with a female child, aged about 1 year. Due to matrimonial dispute arose between them, the petitioner had left the matrimonial home. The respondent/husband has filed DOP. No.241 of 2025 before the Family Court, Thoothukudi, seeking restitution of conjugal rights. Seeking transfer of the above DOP. No.241 of 2025 from the file of Family Court, Thoothukudi, to the file of I Additional District Judge, Madurai, the present Transfer Civil Miscellaneous Petition has been filed.

4.Mr.C.Samuel Rabindranath, learned counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 300 kms., approximately up and down from Madurai to Thoothukudi, for all the Court hearings and

also she do not have any finance to meet the travel and other incidental expenses. Thus, he

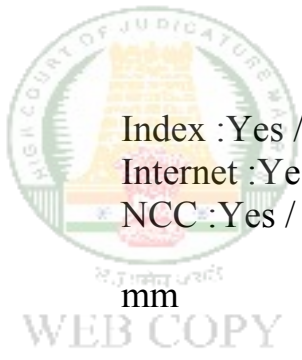


prays that this Court may transfer the case in DOP.No.241 of 2025 from the Family Court, Thoothukudi, to the file of I Additional District Judge, Madurai.

5. During the course of arguments, Mr.R.Narmathan, learned counsel for the respondent submitted that the respondent has no objection to transfer the DOP.No.241 of 2025 pending on the file of the Family Court, Thoothukudi to the file of I Additional District Judge, 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, this Transfer Civil Miscellaneous Petition is allowed, as prayed for. The matrimonial case in DOP.No. 241 of 2025, on the file of the Family Court, Thoothukudi, is hereby ordered to be withdrawn and transferred to the file of the I Additional District Judge, Madurai. The learned I Additional District 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, 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 Family Judge, Thoothukudi as well as to the learned I Additional District Judge, Madurai, for its necessary compliance and information, within a period of 10 days from today.



Index :Yes / No **05.11.2025**

Internet :Yes / No

NCC :Yes / No

mm



To

- 1.The Judge, Family Court, Thoothukudi.
- 2.The I Additional District Judge, Madurai.
- 3.The Additional Registrar General,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY

SHAMIM A



mm

TR CMP(MD) NO. 499 of 2025

05.11.2025



WEB COPY

