



TR CMP(MD) NO. 663 of 2

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-11-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

TR CMP(MD) NO. 663 of 2023

and

CMP.(MD) No.14625 of 2023

J.Josel Junisha

W/o.Jawahar Jones, D.No.31, Kamarajar Nagar 1st Street,
T.B.Road, South Valliyoor, Valliyoor Village,
Tirunelveli District.

Appellant(s)

Vs

S.Jawahar Jones

S/o.Samraj, D.No.11-19A, Jones Cottage, Palapallam post,
Kalkulam Taluk, Kanyakumari District.

Respondent(s)

Prayer:

to withdraw O.P.No.627 of 2023 pending before the Honourable Family Court, Nagarcoil and transfer the same to the Honourable Sub Court, Vallioor.

For Appellant(s):

Mr.K.K. Samy

For Respondent(s):

Mr.C.Godwin



ORDER

This Transfer Civil Miscellaneous Petition is filed with the following prayer:-

“to withdraw O.P.No.627 of 2023 pending before the Hon'ble Family Court, Nagercoil and transfer the same to the Hon'ble Sub Court, Vallioor. ”

2.Mr.K.K.Samy, learned counsel for the petitioner submits that the case in O.P.No. 627 of 2023 filed by the respondent/husband, seeking restitution of conjugal rights, which is sought to be transferred by the petitioner/wife from the file of Family Court, Nagercoil to the file of Sub Court, Vallioor, has already been allowed by the learned Judge, Family Court Kanyakumari at Nagercoil, vide order dated 22.04.2024. Thus, he submits that the present Transfer Civil Miscellaneous Petition may be closed, as the relief sought for by the petitioner has now become infructuous and there is no cause of action also exists in the present Transfer Civil Miscellaneous Petition.

3.The copy of the judgment and order passed in O.P.No.627 of 2023 by the learned Judge, Family Court Kanyakumari at Nagercoil, dated 22.04.2024, has been produced before this Court today and the same is taken on record.

4.Mr.C.Godwing, learned counsel for the respondent also concedes the submissions of the learned counsel for the petitioner.



5. Accordingly, in view of the arguments as advanced by the learned counsel for the parties and after perusal of the judgment and order passed in O.P.No.627 of 2023 by the learned Judge, Family Court Kanyakumari at Nagercoil, dated 22.04.2024, this Court is of the view that no useful purpose will be served in continuing with the present Transfer Civil Miscellaneous Petition, as there is no cause of action exists in the present Transfer Civil Miscellaneous Petition and hence, the same is liable to be closed.

6. Accordingly, this Transfer Civil Miscellaneous Petition is closed. Interim order, if any, shall stand vacated and the file is consigned to record. No costs. Consequently, connected Miscellaneous Petition is closed.

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

05.11.2025

To

1.The Judge, Family Court,
Nagarcoil.

2.The Subordinate Judge, Vallioor.



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SHAMIM AHMED, J.

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