



TR.C.M.P.(MD)No.549 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 30.10.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.549 of 2025
and
C.M.P.(MD)No.15169 of 2025

Aiswarya,
W/o. Ajay Praison,
D/o. W.Jaya Ananth,
No.3/5, Osaravilai,
Kulasekaram Post,
kanyakumari District.

... Petitioner

vs.

Ajay Praison,
S/o. Dayalan,
No.2/112, Vanchinathan Street,
Perunkudi, Madurai.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to order to withdraw and transfer the case in S.M.O.P.No.65 of 2025 on the file of 1st Additional District Court, Madurai to the file of Family Court, Nagercoil.

For Petitioner :Mr.S.Suresh Kumar
For Respondent :Mrs.J.Meenakshi



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ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in SMOP.No.65 of 2025, on the file of the 1st Additional District Court, Madurai, and transfer the same to the file of Family Court, Nagercoil.

2.Heard Mr.S.Suresh Kumar, learned counsel for the petitioner and Mrs.J.Meenakshi, learned counsel for the respondent.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 02.05.2019, according to Christian Marriage Ceremony and out of their wedlock, they were blessed with two children, namely, Rithin and Riyan. Due to matrimonial dispute arose between them, the petitioner had left the matrimonial home. The respondent/husband has filed S.M.O.P. No.65 of 2025 before the 1st Additional District Court, Madurai, seeking restitution of conjugal rights. Seeking transfer of the above S.M.O.P. No.65 of 2025 from the file of 1st Additional District Court, Madurai, to the file of Family Court,



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Nagercoil, the present Transfer Civil Miscellaneous Petition has been filed.

4.Mr.S.Suresh Kumar, learned counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 500 kms., up and down from Nagercoil to Madurai, 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 SMOP.No.65 of 2025 from the file of the 1st Additional District Court, Madurai to the file of Family Court, Nagercoil.

5.During the course of arguments, Mrs.J.Meenakshi, learned counsel for the respondent has, on instructions from the respondent, submitted that the respondent has no objection to transfer the SMOP.No. 65 of 2025 pending on the file of the 1st Additional District Court, Madurai to the file of Family Court, Nagercoil. 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



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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 SMOP.No.65 of 2025, on the file of the 1st Additional District Court, Madurai is hereby ordered to be withdrawn and transferred to the file of the Family Court, Nagercoil. The learned Judge, Family Court, Nagercoil, 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 1st Additional District Judge, Madurai as well as to the learned Judge, Family Court, Nagercoil, 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 1st Additional District Judge, Madurai.
- 2.The Judge, Family Court, Nagercoil.



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SHAMIM AHMED, J.

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