



TR.C.M.P.(MD)No.571 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.11.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

TR.C.M.P.(MD)No.571 of 2025

and

C.M.P.(MD)No.15870 of 2025

Aarthye
D/o. Pandian
No.39 L,Ganesh Nagar
Post Office Road
Nagamalai Puthukottai
Madurai
Madurai Dsitriect.

... Petitioner

vs.

Rajesh
S/o. Madasamy
65
Vishal Estate
Kovaiputhur
Coimbatore
Coimbatore District.

... Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure to withdraw and transfer the HMOP No. 1373 of 2025 on the file of the Family Court, Coimbatore, Coimbatore District and Transfer the same to the Family Court, Madurai, Madurai District.



TR.C.M.P.(MD)No.571 of 2025

For Petitioner :Mr.KA.Raamakrishnan

For Respondent :No appearance

ORDER

This Transfer Civil Miscellaneous Petition has been filed to withdraw the case in HMOP.No.1373 of 2025, on the file of the Family Court, Coimbatore, Coimbatore District and transfer the same to the file of Family Court, Madurai, Madurai District.

2.Heard Mr.KA.Raamakrishnan, learned counsel for the petitioner.

3.The petitioner is the wife and the respondent is the husband and their marriage was solemnized on 12.11.2019, according to Hindu rites and customs. Out of their wedlock, they were blessed with a baby girl, namely, Aaradhya. and due to matrimonial dispute arose between them, they are living separately. The respondent/husband has filed HMOP.No. 1373 of 2025 before the Family Court, Coimbatore, Coimbatore District, seeking restitution of conjugal rights. Seeking transfer of the above H.M.O.P. No.1373 of 2025 from the file of Family Court, Coimbatore,



TR.C.M.P.(MD)No.571 of 2025

Coimbatore District, to the file of Family Court, Madurai, Madurai District, the present Transfer Civil Miscellaneous Petition has been filed.

4.Mr.KA.Raamakrishnan, learned counsel for the petitioner submits that being a lady, it is very difficult for the petitioner to travel more than 400 kms., approximately up and down from Madurai to Coimbatore, 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 HMOP.No.1373 of 2025 from the file of the Family Court, Coimbatore, Coimbatore District to the file of Family Court, Madurai, Madurai District.

5.This Court, vide order dated 26.09.2025, had passed the following order:-

“Heard Mr.KA.Ramakrishnan , learned counsel for the Petitioner.

2. Issue notice to the Respondent by RPAD and steps to be taken within two weeks. Private notice is also permitted. Office may proceed with sending the notice to the Respondent through RPAD.

3. After service of notice, the Respondent shall file



WEB COPY



TR.C.M.P.(MD)No.571 of 2025

objection within four weeks and one week thereafter is allowed to the learned counsel for the Petitioner to file a reply to the objection filed by the Respondent.

4. Put up the case “For Final Hearing” on 12.11.2025 before appropriate bench. ”

6.As per Office report, dated 11.11.2025, it is seen that notice has been served on the sole respondent. However, today, when the case was taken up in the revised call, neither the respondent nor any counsel representing the respondent appear before this Court. Thus, it appears that the respondent is not interested to pursue this Transfer Civil Miscellaneous Petition.

7.Accordingly, after considering the arguments as advanced by the learned counsel for the petitioner, considering the fact that the petitioner, being a lady, would be facing difficulty to travel about more than 400 kms approximately up and down to attend all the Court hearings before the Family Court, Coimbatore, Coimbatore District, where the HMOP.No.1373 of 2025 is pending and that she is also facing finance constraint to meet travel and incidental expenses and also considering the



TR.C.M.P.(MD)No.571 of 2025

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 HMOP.No.1373 of 2025, on the file of the Family Court, Coimbatore, Coimbatore District, is hereby ordered to be withdrawn and transferred to the file of the Family Court, Madurai, Madurai District. 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, if the same is not already decided, on merits and in accordance with law, expeditiously. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

8.Registry is directed to communicate this order to the learned Judge, Family Court, Madurai, Madurai District, as well as to the learned Judge, Family Court, Coimbatore, Coimbatore District, for its necessary compliance and information, within a period of 10 days from today.

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

12.11.2025

5/7



TR.C.M.P.(MD)No.571 of 2025

WEB COPY

To

1.The Judge, Family Court, Coimbatore.

2.The Judge, Family Court, Madurai.



WEB COPY



TR.C.M.P.(MD)No.571 of 2025

SHAMIM AHMED, J.

mm

TR.C.M.P.(MD)No.571 of 2025

12.11.2025