



TR CMP(MD). No.126 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06.01.2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

**TR CMP(MD). No.126 of 2024
and
CMP(MD)No.2625 of 2024**

B.J.Annapoorna,
Represented by her power agent,
Balasubramanian.

... Petitioner

Vs.

M.Thilipkumar,

... Respondent

PRAYER :- Transfer Civil Miscellaneous Petition filed under section 24 of Civil Procedure Code to withdraw H.M.O.P.No. 1491 of 2023 on the file of the Family Court, Madurai and transfer the same to the file of II-nd Additional Subordinate Court, Coimbatore to be tried along with H.M.O.P.No.369 of 2023 on the file of the II-nd Additional Subordinate Court, Coimbatore.

For Petitioner : Mr.R.J.Karthick,

For Respondent : Mr.J.Lawrance



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ORDER

The application invoking Section 24 of the Code of Civil Procedure, 1908, has been filed relating to a matrimonial dispute between the parties. The Husband has filed H.M.O.P. No. 1491 of 2023 for Restitution of Conjugal Rights before the Family Court, Madurai, which is sought to be transferred by the Wife to the II Additional Subordinate Court, Coimbatore, where H.M.O.P. No. 369 of 2023 filed by the Wife for dissolution of marriage is pending.

2.Heard Mr. R.J.Karthick, Learned Counsel for the Wife, Mr. J.Lawrance, Learned Counsel for the Husband and perused the materials placed on record, apart from the pleadings of the parties.

3. According to the Wife, she is presently working at Singapore Her Father aged about 57 years is the power of attorney of wife to conduct the case and being an aged person, he is unable to travel from Coimbatore to Madurai to conduct the case and he also suffering from some ailments.



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4. In such circumstances, this Court is of the considered view that there is no necessity to transfer the case from Madurai to Coimbatore, as the power of attorney, who is the Father of the Wife can travel from Coimbatore to Madurai. If the Father is suffering from some ailments, it is always open to the Wife to appoint the power of attorney somebody else. Further, the Wife shall be entitled to appear through video-conferencing facility before the Trial Court, if she is not able to attend physically.

5. Considering the facts and circumstances of the case, the case in H.M.O.P No. 369 of 2023 filed by the Wife for dissolution of marriage on the file of the II Additional Subordinate Court, Coimbatore, is transferred to the Family Court, Madurai, to be tried along with H.M.O.P. No. 1491 of 2023. Consequently, both parties shall appear before the Family Court, Madurai, for conduct of further proceedings from its present stage and on the subsequent dates to which it is adjourned from time to time on the aforesaid terms till final order is passed.



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6. In the result, the Transfer Civil Miscellaneous Petition is disposed on the aforesaid terms. No costs. Consequently, the connected Miscellaneous Petition is closed.

06.01.2026

Index :Yes/No
Web :Yes/No
Speaking/Non Speaking
LS

TO

1. The Family Court,
Madurai.
- 2.The II-nd Additional Subordinate Judge,
Coimbatore.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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MOHAMMED SHAFFIQ,J

LS

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