



Tr.C.M.P(MD).No.652 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2026

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P (MD).No.652 of 2025
and
C.M.P(MD)No.18927 of 2025

Sharmila Devi : Petitioner

Vs.

Thangapandiyan : Respondent

PRAYER: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the petition in H.M.O.P.No.31 of 2024 on the file of the Principal Sub Court, Dindigul and transfer the same to the Family Court, Dindigul.

For Petitioner : Mr.M.Venkatesan

For Respondent : Mr.D.Venkatesh

ORDER

The Transfer Civil Miscellaneous Petition has been filed seeking orders to withdraw the case in H.M.O.P.No.31 of 2024 pending on the file of Principal Sub Court, Dindigul and transfer the same to the Family Court, Dindigul.



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2. It is evident from the records that the marriage between the parties was solemnized on 13.03.2022 as per Hindu Rites and customs and that subsequently, there arose some misunderstanding between them and they are are living separately.

3.It is also not in dispute that the respondent filed a petition in H.M.O.P.No.31 of 2024, seeking restitution of conjugal rights and is pending on the file of the Principal Sub Court, Dindigul and that the petitioner filed a petition in H.M.O.P.No.426 of 2025, seeking divorce and the same is pending on the file of the Family Court, Dindigul.

4.The learned counsel appearing for the petitioner would submit that both the Courts are situated at the same campus.

5.The learned counsel appearing for the respondent would submit that they are having objections, but they have not specified any objections.

6. Considering the facts and circumstances of the case and taking note of the fact that the divorce petition in H.M.O.P.No.426 of 2025 filed by the



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petitioner is pending on the file of the Family Court, Dindigul, this Court is inclined to allow this petition. Accordingly, the petition in H.M.O.P.No.31 of 2024, is ordered to be withdrawn from the file of the Principal Sub Court, Dindigul and transfer the same to the file of the Family Court, Dindigul. The learned Principal Subordinate Judge, Dindigul, is hereby directed to transmit the entire records in H.M.O.P.No.31 of 2024 to the file of the Family Court, Dindigul, within a period of 10 days from the date of receipt of copy of this order and on receiving the case bundle, the learned Judge, Family Court, Dindigul, is directed to take up the petition on file and proceed in accordance with law.

7. With the above direction, the Transfer Civil Miscellaneous Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.
No costs.

17.03.2026

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



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K.MURALI SHANKAR, J.

DAS

To

- 1.The Principal Sub Court, Dindigul.
- 2.The Family Court, Dindigul.
- 3.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Tr.C.M.P (MD).No.652 of 2025
and
C.M.P(MD)No.18927 of 2025

17.03.2026