



TR CMP(MD). No.737 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 07.01.2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

Suo Motu.TR.CMP(MD). No.737 of 2025

The Registrar (Judicial)
Madurai Bench of Madras High Court,
Madurai.

... Petitioner

Vs.

1.Sujit Rajappa
2.Renee Jabaline

... Respondents

PRAYER :- Suo Motu Transfer Civil Miscellaneous Petition filed under Section 24 of Civil Procedure Code, to withdraw the cases in I.D.O.P.No. 72 of 2018 and M.C.No.34 of 2020 on the file of Family Court, Nagercoil and transfer the same to the file of some other competent Court.

For Petitioner : Mr.Mahaboob Athiff

ORDER

Family Court, Nagercoil submitted a letter dated 21.02.2025 to the Registry of Madurai Bench of Madras High Court, regarding transfer of I.D.O.P.No.72 of 2018 and M.C.No.34 of 2020 on the file of Family



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Court, Nagercoil to the file of some other competent Court. On the basis of said letter, Transfer Civil Miscellaneous Petition is filed by Registry of Madurai Bench of Madras High Court for exercise of *suo motu* powers under Section 24 of CPC and transfer the above cases, on the following grounds:

“It is most respectfully submitted that the Judge, Family Court, Nagercoil, has submitted a letter to the Registry, wherein among other things, he has stated that one Mr.Sujit Rajappa had filed IDOP No.464/2017 against his wife namely Mrs. Renee Jabaline for the relief of divorce before the District Court, Nagercoil and upon constitution of the Family Court, Nagercoil, the said case was transferred to the Court and same was re-numbered as I.D.O.P.No. 72/2018, wherein the Court passed an ex-parte decree on 29.05.2018 as against the respondent namely Mrs. Renee Jabaline and she filed a petition in L.A.No.1/2021 to set aside the said ex-parte decree dated 29.05.2018 passed in I.D.O.P.No.72/2018 and her husband Mr.Sujit Rajappa filed I.A.No.2/2022 besides filing I.A.No.3/2022 in L.A.No. 1/2021 and I.A.No.8/2022 in I.A.No. 1/2021; that Mrs.Renee Jabaline also filed I.A.No.9/2023 in I.A.No.2/2022 and also filed M.C.No.34/2020 as against Mr.Sujit Rajappa claiming maintenance for her and her minor child namely Iniya



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Stefannie, wherein she filed Crl.M.P.Nos. 112/2023 and 162/2023 and Mr.Sujit Rajappa filed Crl.M.P.No.113/2023; that when all the above said I.As and Crl.M.Ps are pending, he took charge of the Court on 06.05.2024; that thereafter, Mr.Sujit Rajappa filed I.A.No.11/2024 in I.D.O.P.No. 72/2018 and I.A.No. 12/2024 in I.A.No.1/2021 in I.D.O.P.No. 72/2018 and Mrs. Renee Jabaline also filed I.A.No. 13/2024 in I.A.No.1/2021 in I.D.O.P.No.72/2018 besides filing Crl.M.P.No.135/2024 and Crl.M.P.No. 188/2024 in M.C.No.34/2020 and Mrs. Renee Jabaline, who initially appeared through an advocate, later appeared as a party-in-person and represented before the Court that all the above petitions should be heard together and disposed at a stretch and upon considering the nature of the above petitions, the Court told her that all the petitions could not be heard and disposed together and it can be disposed of only in the order as the law mandated; that whenever those petitions came up for hearing before the Court, Mrs.Renee Jabaline created the circumstances which would not be conducive to proceed with the enquiry by shouting unnecessarily and as this a Family Court, he thought that due to depression she has been behaving in such a way and therefore, he refrained from recording her attitude in the notes paper after advising her to conduct properly in the Court.

It is respectfully submitted that the Judge, Family



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Court, Nagercoil, has further stated that on 24.01.2025, he heard the oral enquiry of Mrs. Renee Jabaline and Mr.Sujit Rajappa in Crl.M.P.No.135/2024 in M.C.No.34/2020 and I.A.No.9/2023 in I.A.No.2/2022 in I.D.O.P.No. 72/2018 and those petitions were reserved for orders and adjourned to 21.02.2025 and on 21.02.2025, he had passed orders on those two petitions, which were resultantly dismissed and immediately after hearing the orders on those petitions, she has raised her voice and started to speak indiscriminately, however, he has managed her to proceed with the enquiry in pending petitions and she also started to advance her oral argument in Crl.M.P.Nos. 112/2023, 162/2023 and 188/2024; that while he was hearing her oral argument in those petitions, as lunch break reached, he had to retire to his chamber at 1.20 p.m. and when he was in the chamber, she was quarrelling and shouting with somebody violently; that after finishing his lunch, when he has resumed to dais at 1.59 p.m., he has seen Mrs.Renee Jabaline sitting in the one of the chair meant for advocates and it appeared that she was fainted and her mother namely Tmt. Usha appeared before him and represented something. (The officer has enclosed notes paper in respect of the happenings on 21.02.2025)

It is respectfully submitted that the Judge, Family Court, Nagercoil, has further stated that in the above



circumstances and as Mrs. Renee Jabaline continuously created surcharge atmosphere in the Court, though he would not be prejudiced in any manner, if he continue to hear the case in M.C.No.34/2020 and depending petitions in M.C.No. 34/2020 and I.D.O.P.No. 72/2018, it would create an occasion to either Mrs. Renee Jabaline or Mr.Sujit Rajappa to raise some sort of false allegations against him; that in order to avoid such circumstances and in the interest of justice, it is just and necessary to transfer the subject referred cases and related petitions to some other competent Court. Therefore, he has requested to transfer the subject referred cases to some other competent Court.”

2. In the circumstances, based on the above request, which is treated as information, this Court is inclined to invoke its *suo motu* power under Section 24 of CPC and transfer the said case. Issuance of notice to either party may not arise and it is not necessary to enquire into the convenience of either party¹. Accordingly, I.D.O.P.No.72 of 2018 and M.C.No.34 of 2020 pending on the file of Family Court, Nagercoil is ordered to be withdrawn and transferred to Principal District Judge, Nagercoil.

¹ *Rajah Sir Annamalai Chettiar V. S.Rm.Ar.Ramanathan Chettiar and others, AIR 1936 (Mad) 55 (Full Bench)*



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3. Accordingly, Transfer Civil Miscellaneous Petition is disposed

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07.01.2026

LS/Lm

To:

1. The Principal District Judge,
Nagercoil.
2. The Family Court,
Nagercoil.



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MOHAMMED SHAFFIQ,J.

LS/Lm

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