



Tr.C.M.P.(MD)No.758 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.758 of 2025
and
C.M.P.(MD)No.20438 of 2025

D.Aarthi

... Petitioner/
Respondent

Vs.

V.G.Venkatesh

... Respondent/
Petitioner

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 C.P.C., to withdraw the case in H.M.O.P.No.355 of 2024 on the file of the Family Court, Trichy, and transfer the same to the learned Family Court at Pudukkottai.

For Petitioner : Mr.A.V.Rajasekaran

For Respondent : Mr.S.K.Mani

ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the



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case from the file of the Family Court, Trichy, in H.M.O.P.No.355 of 2024 and transfer the same to the file of the Family Court, Pudukkottai.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent.

3. It is not in dispute that the marriage between the petitioner and the respondent was solemnized on 26.01.2023 as per the Hindu Rites and Customs and that subsequently there arose some misunderstanding and they are living separately. It is also not in dispute that they were blessed with a male child aged 2½ years and he is in the custody of the respondent.

4. It is evident that the respondent filed a petition in H.M.O.P.No. 355 of 2024 seeking divorce and the same is pending on the file of the Family Court, Trichy. It is further evident that the present petitioner filed a habeas corpus petition in H.C.P.(MD)No.1253 of 2024 seeking a writ of habeas corpus directing the police officials to hand over the custody of her male child before this Court and this Court vide order dated 11.11.2024 directed the learned Judge, Family Court, Tiruchirappalli, to dispose of



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G.W.O.P.No.356 of 2024 on merits and in accordance with law within a period of three months from the next hearing date and with the said direction, the petition was disposed of.

5. It is not in dispute that the counsel on either side filed a joint memo before the trial Court to try H.M.O.P.No.355 of 2024 and G.W.O.P.No.356 of 2024 jointly and the said memo was recorded on 21.07.2025 and thereafter, trial was commenced and two witnesses namely respondent and a Doctor came to be examined as P.W.1 and P.W.2 respectively and that thereafter, the respondent has filed an application in I.A.No.6 of 2025 seeking orders for directing the petitioner to undergo medical examination by a mental health board comprising Psychiatric and Neurology specialists and the said application is pending before the trial Court. It is also not in dispute that subsequently the petitioner filed a petition in H.M.O.P.No.126 of 2025 seeking restitution of conjugal rights and the same is pending on the file of the Family Court, Pudukkottai.

6. As already pointed out, the petitioner herself moved the habeas corpus petition and obtained the order of this Court for disposal of



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G.W.O.P. within three months and thereafter, the petitioner and the respondent consented for joint trial of G.W.O.P. along with H.M.O.P. and on that basis, trial has already been commenced.

7. In the above said facts and circumstances, transferring the case to the file of the Family Court, Pudukkottai, is not warranted but at the same time, the learned Judge, Family Court, Tiruchirappalli, is to be directed to dispose of the cases within a time to be stipulated. Accordingly, the learned Judge, Family Court, Tiruchirappalli, is directed to conduct enquiry in I.A.No.6 of 2025 in G.W.O.P.No.356 of 2024 and dispose of the same within a period of one week from the date of receipt of a copy of this order and thereafter, to proceed with the trial of both the petitions in G.W.O.P.No.356 of 2024 and H.M.O.P.No.355 of 2024 and dispose of the same within a period of two months thereafter.

8. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner is residing at Thiruvappur, Pudukkottai District and that the petitioner has no personal income. Considering the said submission, the respondent is hereby directed to pay a sum of



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Rs.1,000/- (Rupees One Thousand only) per hearing towards travelling and incidental expenses to the petitioner to attend the hearings before the trial Court.

9. With the above directions, the Transfer Civil Miscellaneous Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

23.03.2026

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

Note : Issue order copy on 25.03.2026

To

1. The Judge,
Family Court,
Tiruchirappalli.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.758 of 2025
and
C.M.P.(MD)No.20438 of 2025

Dated : 23.03.2026