

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

Tr.CMP.No.91 of 2019
and
C.M.P.No.3201 of 2019

A.Shamira Banu Petitioner

Vs.

M.Zainudeen Respondent

PRAYER: Transfer Civil Miscellaneous petitions filed under Section 24 of the Civil Procedure Code, praying to withdraw the O.S.No.354 of 2018 pending on the file of District Munsif Court, Sirkazhi and transfer the same to the Family Court, Cuddalore.

For Petitioner : Mr.B.Gopalakrishnan

O R D E R

This petition is filed by the petitioner seeking to withdraw the O.S.No.354 of 2018 pending on the file of District Munsif Court, Sirkazhi and transfer the same to the Family Court, Cuddalore.

2. The petitioner is the wife. The respondent / husband filed a suit before District Munsif Court, Sirkazhi for declaration of Thalag agreement as valid.

3. The petitioner is the resident of Cuddalore. He finds it difficult to go to seerkazhi which is more than 200 Km away from Cuddalore to contest the case. Therefore, on the grounds of physical hardship she seeks transfer of the suit from Seerkazhi to Cuddalore.

4. Despite the notice served on the respondent / husband, he has not chosen to appear before this Court either through person or through counsel.

5. Considering the facts and circumstances of the case and physical and mental hardship caused to the petitioner, this Court is inclined to transfer the suit from Seerkazhi to Cuddalore. Accordingly, O.S.No.354 of 2018 before the District Munsif Court, Seerkazhi is withdrawn and transferred to Family Court, Cuddalore.

6. With the above directions, the transfer Civil Miscellaneous Petition is ordered. Consequently, connected civil miscellaneous petition is closed.

sd/
ASSISTANT REGISTRAR

/TRUE COPY/
SUB-ASSISTANT REGISTRAR

bkn

To

1. The District Munsif Court,
Seerkazhi.
2. The Family Court,
Cuddalore.

+1CC to Mr.B.Gopalakrishnan Advocate SR.NO.38591

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SKV[CO]
MK:08/06/2019

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