



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 16.02.2022

CORAM

THE HON'BLE Ms.JUSTICE P.T.ASHA

Tr.C.M.P.No.850 of 2021
and
C.M.P.No.19327 of 2021

S.Rakshana Begum

... Petitioner

Vs

Mohammed Ribayuddin

... Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw O.S.No.133 of 2021 on the file of the District Munsif Court at Nagapattinam District to Sub Court at Thiruvarur District.

For Petitioner : No Appearance.

For Respondent : Mr.T.Ananthasekar

O R D E R

The Petitioner/wife has filed this Transfer Civil Miscellaneous Petition seeking to transfer O.S.No.133 of 2021 pending on the file of the District Munsif Court, Nagapattinam to Sub Court, Thiruvarur District.

2. The transfer is sought on the following grounds:

a) The petitioner is residing at Thiruvarur taking care of her 5 year old daughter, who is also living with her.

b) The petitioner is suffering serious financial and physical issues and the respondent/husband has not taken any steps to pay the maintenance to the petitioner/wife or to her minor daughter.

3. The petitioner would have to travel for over 4 hours to reach Nagapattinam for the hearing/adducing evidence, which is a great strain on her.

4. The respondent, though served, has not entered appearance.

5. Considering the fact that the sufficient and compelling reasons have been given by the petitioner for



transferring the suit and also taking into consideration the fact that the respondent/husband is not discharging his duties, as a husband or father by paying maintenance to the petitioner and her daughter. This is the fit case where the suit O.S.No.133 of 2021 pending on the file of the District Munsif, Nagapattinam be withdrawn and transferred to the file of the Sub Court, Thiruvarur. Therefore, the Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

srn

To

1. The District Munsif Court,
Nagapattinam District
2. The Subordinate Judge,
Thiruvarur District.

+1 cc to Mr.T.Ananthasekar, Advocate Sr.NO. 9949

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KG(CO)

A.SK(07/03/2022)