



Tr.C.M.P(MD)No.660 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **12.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.660 of 2022

and

C.M.P(MD)No.10551 of 2022

Jannathul Firthous

...Petitioner/Defendant

Vs.

Sadiq Ali

...Respondent/Plaintiff

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the O.S.No.1 of 2022 on the file of the Family Court, Villuppuram and transfer the same to the file of the Sub Court, Kulithalai.

For Petitioner : Mr.S.Ponsenthilkumaran

For Respondent : No Appearance

ORDER

The present Transfer Civil Miscellaneous Petition has been filed to transfer O.S.No.1 of 2022 on the file of the Family Court, Villuppuram to the file of the Sub Court, Kulithalai.



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2. Though the respondent has been served, there is no appearance either in person or through counsel. The name of the respondent is also printed in the cause list.

3. The petitioner in her affidavit filed in support of the petition stated as follows:

" 6. I respectfully submit that the respondent has failed to maintain me and minor children. Now I am residing along with my two children at my natal home. I have obtained loan to repay the debts contracted by the respondent and I find it very difficult to meet the day to day family expenditure and educational expenses of two children. In the above sated circumstances, I have been reeling under severe stress and it is impossible for me both economically and psychologically to travel all the way to villupuram and contest the case in O.S.No.1 of 2022 effectively. I submit that the distance between my village and Villupuram is about more than 250 kilometres and hence I have come forwarded with this petition seeking transfer of said suit from Villupuram to Sub Court, Kulithalai."

4. Being satisfied with the reasons given in the affidavit filed in support of the petition, I am inclined to allow the present Transfer Civil Miscellaneous Petition. Thus, the present Transfer Civil Miscellaneous Petition stands allowed by transferring O.S.No.1 of 2022 on the file of



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the Family Court, Villuppuram to the file of the Sub Court, Kulithalai.

No costs. Consequently, connected miscellaneous petition is closed.

12.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Family Court,
Villuppuram.
- 2.The Sub Court,
Kulithalai.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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