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Tr.CMP.No.724 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Tr.CMP.No.724 of 2025

&

C.M.P.No.16883 of 2025

Mr.Najeebur Rahman A

... Petitioner

Versus

Mr.Showkath Ali

... Respondent

Transfer Civil Miscellaneous Petition filed under Section 24 of CPC, to withdraw the suit in O.S.No.1 of 2022 from the file of Principal Sub Judge, Tindivanam, Villupuram District and transfer the same to the file of Sub-Court, Ramanathapuram.

For Petitioner : Mr.K.Ezhumalai

For Respondent : No appearance

ORDER

The petitioner has come up with the above transfer petition, seeking transfer of O.S.No.1 of 2022 from the file of Principal Sub Judge, Tindivanam, Villupuram District to the file of Sub-Court, Ramanathapuram.

2. Despite service of notice in the above transfer petition, the



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respondent has neither chosen to appear in person nor through counsel. The name of the respondent is also printed in the cause list. Name of the respondent was called out, but there is no representation. Hence, he is set *ex parte*. I have proceeded to hear the learned counsel for the petitioner. I have also gone through the affidavit filed in support of the request for transfer.

3. The learned counsel appearing for the petitioner submits that the petitioner has filed a suit in O.S.No.1 of 2022 on the file of Sub-Court, Tindivanam for recovery of money, the defendant has also filed a written statement in the said suit and the case is now posted for plaintiff's side evidence.

4. It is the case of the petitioner that during the pendency of the suit, the petitioner's wife was affected with II stage breast cancer due to which the petitioner's family shifted to Keelakarai, Ramanathapuram District. Hence, it would be extremely difficult for the petitioner to attend the court for recording evidence leaving the school going children. Therefore, the petitioner seeks for transfer for the suit from the file of Principal Sub-Judge, Tindivanam to the file of Sub-Court at Ramanathapuram. The learned counsel also drew the attention of this Court to the medical certificate of



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petitioner's wife enclosed in the typed-set of papers.

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5. I am satisfied that the petitioner has made out a good ground for transferring the case from the file of Principal Sub-Judge, Tindivanam, Villupuram District to the file of Sub-Court, Ramanathapuram.

6. Accordingly, this Transfer Civil Miscellaneous Petition is allowed and the suit in O.S.No.1 of 2022 is withdrawn from the file of the Principal Sub-Judge, Tindivanam and transferred to the file of the Sub-Court, Ramanathapuram. Considering the facts of the case, there shall be no order as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

25.09.2025

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To

1. The Principal Sub-Judge, Tindivanam
2. The Sub-Court, Ramanathapuram.



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M. JOTHIRAMAN, J.

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