



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.06.2023

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THE HONOURABLE **MR. JUSTICE C. SARAVANAN**

TR.C.M.P. (MD) No.93 of 2022

and

C.M.P. (MD) No.2012 of 2022

P.Akila ... Petitioner / Respondent

Vs.

G.Kamalakannan ... Respondent / Petitioner

Transfer Civil Miscellaneous Petition filed under Section 24 of the Code of Civil Procedure, 1908, to withdraw the case in F.C.O.P.No.495 of 2021 on the file of the Family Court, Erode and to transfer the same to the file of the Family Court, Karur.

For Petitioner : Mr.S.Gogul Raj

For Respondent : No appearance

O R D E R

Despite notice being served on the counsel who appears for the respondent before the Family Court, Erode in F.C.O.P.No.495 of 2021 as the notice already served on the respondent has been returned with an endorsement "left without instruction" and despite the name of the respondent being printed in the cause list, there is no representation on behalf of the respondent.

2. This Transfer Civil Miscellaneous Petition has been filed to transfer F.C.O.P.No.495 of 2021 from the Family Court, Erode to Family Court, Karur.

3. In the affidavit filed in support of the present Transfer Civil Miscellaneous Petition, the petitioner has stated as follows:-

5. I further state that since the appearances of parties are necessary before the Family Court, Erode, I have to travel 130 kms up and down. Further, I am facing health issues and I have to travel more than 130 kms for attending court

proceedings. I am an unemployed person and



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TR.C.M.P.(MD)



22

depending upon my age old mother's income. It is pertaining to mention that the respondent is a drunkard and control-less person. Therefore I am apprehending that my life and my minor son's life are at stake while attending the court proceedings. Unless this Hon'ble Court withdrawn the case in F.C.O.P.No.495 of 2021 on the file of the Family Court, Erode and to transfer the same to the file of the Family Court, Karur, I would be put to irreparable loss and much hardship.

4. Being satisfied with the above reasons and considering the fact that petitioner is taking care of minor child aged about 7 years and the petitioner is jobless and depending on her age-old mother, I am inclined to allow this Transfer Civil Miscellaneous Petition. Therefore, F.C.O.P.No.495 of 2021 is directed to be transferred from the Family Court, Erode to Family Court, Karur.

5. This Transfer Civil Miscellaneous Petition is allowed. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/07/2023

Sub Assistant Registrar(CS)

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To

1.The Judge, Family Court, Erode.

2.The Judge, Family Court, Karur.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-28992[F] dated 19/06/2023)

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