

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

Tr.P(C).No. 245 of 2012 ()

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TO TRANSFER O.P. NO.527/2012 OF FAMILY COURT, PALAKKAD TO
FAMILY COURT, MALAPPURAM.**

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PETITIONER(S):

**SHAHIDA, D/O.MUHAMMEDALI,
KOORIYAT VATTAM PARAMBIL HOUSE,
THAZHEKODE WEST POST, PERINTHALMANNA TALUK,
MALAPPURAM DISTRICT.**

BY ADV. SMT.NIMA JACOB.

RESPONDENT(S):

**MUHAMMED HANEEFA,
PATTIKKADAN VEETIL, NATTUKAL POST,
MANNARKKADU TALUK,
PALAKKAD DISTRICT, PIN:679 357.**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

P. BHAVADASAN, J.

Tr.P.(C). No. 245 of 2012

Dated this the 6th day of January, 2015.

ORDER

This is a petition filed under Section 24 of the Code of Civil Procedure seeking transfer of O.P.527 of 2012 from Family Court, Palakkad to Family Court, Malappuram.

2. Married in 2004 the relationship between the petitioner and the respondent became strained and both resorted to legal proceedings against each other. The petitioner chose to file O.P.892 of 2011 for return of money and gold ornaments and M.C. 786 of 2011 for maintenance under Section 125 of the Code of Criminal Procedure before the Family Court, Malappuram. That prompted the respondent to retaliate by filing O.P. 527 of 2012 for custody of minor child and O.P. 532 of 2012 for restitution of conjugal rights before the Family Court, Palakkad.

3. The petitioner points out that she is staying in Malappuram with her parents and she has nobody to accompany her to Palakkad. It is also pointed out that she is not financially very sound and it is extremely difficult for her to attend the Family Court at Palakkad on all posting dates. Under these circumstances, she prays for transfer of O.P. 527 of 2012 from Family Court, Palakkad to Family Court, Malappuram.

4. Though the respondent was served with notice, there is no appearance for him.

In the result, this petition is allowed, and O.P. 527 of 2012 pending before the Family Court, Palakkad shall stand transferred to Family Court, Malappuram.

P. BHAVADASAN,
JUDGE

sb.