

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

Tr.P(C).No.480 of 2012

(OP (G&W) NO.1227/2011 OF THE FAMILY COURT,NEDUMANGADU TO FAMILY COURT,KOTTARAKKARA).

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PETITIONER:

**RENJINI R. KRISHNA,D/O.RADHAMANI AMMA,
AGED 27 YEARS,RESIDING PERMANENTLY AT "KRISHNASHREE",
CHAVARUNADA,MANIYAR P.O.,PUNALUR,KOLLAM DISTRICT.**

BY ADV. SRI.NIRMAL V NAIR

RESPONDENT'S:

- 1. MADHVAN NAIR,S/O.APPUKUTTAN NAIR,AGED 56 YEARS,
RESIDING AT EZHAKODE PEZHUMKUZHY VEEDU,
KALLAYAM P.O.,VATTAPPARA VILLAGE,NEDUMANGAD TALUK,
THIRUVANANTHAPURAM-695043.**
- 2. VASANTHA KUMARI,D/O.VIJAYAMMA,
RESIDING AT EZHAKODE PEZHUMKUZHY VEEDU,
KALLAYAM P.O.,VATTAPPARA VILLAGE,NEDUMANGADU TALUK,
THIRUVANANTHAPURAM - 695043.**

**R1,R2 BY ADVS.SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-02-2015, ALONG WITH Tr.P(C) 481/2012, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

pk

Tr.P(C).No.480 of 2012

APPENDIX

PETITIONER'S ANNEXURES:

ANNEXURE 1:A TRUE COPY OF THE O.P.(G & W) NO.1227/2011.

**ANNEXURE 2:A TRUE COPY OF THE C.M.P.NO.2682/2012 FILED BY THE
PETITIONER.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.BHAVADASAN, J.

Transfer Petition (Civil) Nos.480 & 481 OF 2012

Dated this the 3rd day of February, 2015.

O R D E R

This Court is normally inclined to allow the transfer petition filed by wife. But these petitions stand on a different footing. Here, petitions have been filed by the petitioner who is the daughter in law of the respondents.

2. The petitioner's husband died under suspicious circumstance and it is now revealed that in a crime registered, petitioner is one of the accused. That may not be a ground for not allowing the transfer petition filed by the petitioner.

3. Considerations for a transfer petition filed against husband is totally different from a transfer petition as against the aged parents of the husband. It is true that the petitioner has pointed out that she finds it hard to go to Family Court, Nedumangadu to attend the case and also that she has financial difficulties. But, on the other side, two persons arrayed as respondents are aged and it may not be appropriate for this

Court to ask them to appear before Family Court, Kottarakkara. It is also understood that a petition for return of gold ornaments and money was filed by petitioner before Family Court, Nedumangadu. Under the peculiar circumstance of the case, it is felt that the relief cannot be granted to the petitioner.

These Transfer Petitions are dismissed. It is made clear that if a petition is filed by the petitioner for exemption from personal appearance, that shall be favourably considered.

Sd/-

**P.BHAVADASAN
JUDGE**

smp

// True Copy //

P.A. to Judge.