

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 6TH DAY OF JULY 2015/15TH ASHADHA, 193

Tr.P(C).No. 392 of 2013

OP 1563/2013 OF FAMILY COURT, ERNAKULAM

PETITIONER:

**BIPIN KUMAR, AGED 30 YEARS,
S/O.HARIMOHAN KARTHA, KUZHUVELIL HOUSE, ADIMALI P.O
DEVIKULAM TALUK, IDUKKI DISTRICT 685 561.**

BY ADV. SRI.MILLU DANDAPANI

RESPONDENT:

**RESHMA, AGED 27 YEARS,
D/O.RADHAMOHANAN, NOW RESIDING AT I LEA COURT,
HUSTINGS, VICTORIA, AUSTRALIA 3915,
REPRESENTED BY MR.RADHAMOHANAN, H.NO 33/301, SRUTHI,
THURUTHIYIL LANE, VENNALA, KOCHI 682 028.**

**BY ADVS. SRI.P.BABU KUMAR
SRI.P.YADHU KUMAR
SRI.VISHNU BABU**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Tr.P(C).No. 392 of 2013

APPENDIX

PETITIONERS' ANNEXURES

**ANNEXURE A: COPY OF AFFIDAVIT AND APPLICATION IN IA.2934/13 IN OP.1563/13
UNDER ORDER 38 RULE 5 (A) OF THE CODE OF CIVIL PROCEDURE
FOR ATTACHMENT OF IMMOVABLE PROPERTY.**

**ANNEXURE B: COPY OF THE OP.(MAINTENANCE) NO.456/12 ON THE FILES OF THE
FAMILY COURT, THODUPUZZHA**

ANNEXURE C: COPY OF THE ORDER DATED 4/6/13 IN TR.PC NO.593/12

**ANNEXURE D: COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR.G.RAJESH MD,
DNB (GASTRO), MNAMS, OF AMRITHA INSTITUTE OF MEDICAL
SCIENCE**

RESPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B. KEMAL PASHA, J.

.....
Tr.P.(C) No.392 of 2013
.....

Dated this the 6th day of July, 2015

ORDER

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Petitioner seeks the transfer of O.P.No.1563/2013 of the Family Court, Ernakulam to the Family Court, Thodupuzha. The respondent has filed the said OP through her father as Power of Attorney Holder seeking return of money, gold ornaments, etc. The parties were earlier staying together and working in Australia. Disputes had arisen between the parties, which culminated in the return of the petitioner from Australia. The only child is also residing along with the petitioner at Adimali. The child has filed an OP before the Family Court, Thodupuzha against the respondent herein seeking maintenance, expenses, etc. as O.P.(Maintenance) No.456/2012, and the same is pending.

2. Heard learned counsel for the petitioner and learned counsel for the respondent.

3. On hearing both sides and considering the facts and circumstances of the case, this Court is satisfied that it is just and convenient in the interest of justice to transfer O.P.No.1563/2013 of the Family Court, Ernakulam to the Family Court, Thodupuzha.

In the result, this Tr.P.(C) is allowed and O.P.No.1563/2013 of the Family Court, Ernakulam is ordered to be transferred to the Family Court, Thodupuzha.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/06/07

// True Copy //

PA to Judge