

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

THURSDAY, THE 15TH DAY OF JANUARY 2015/25TH POUSHA, 1936

Tr.P(Crl.).No. 105 of 2013 ()

IN MC 99/2013 of JUDICIAL FIRST CLASS MAGISTRATE COURT, MALAPPURAM

PETITIONER(S):

**RAMACHANDRAN.B
S/O. LATE VELAYUDHAN, PARAKKAD HOUSE, EDATHARA.P.O.
PARALI, PALAKKAD-678611.**

BY ADV. SRI.NIRMAL. S

RESPONDENT(S):

**M.CHANDRIKA, AGED 55 YEARS
D/O. IMBICHU, GANGA NIVAS, KUNNATH
KODANGAD, KONDOTTY, MALAPPURAM-673638.**

**R1 BY ADV. SRI.P.R.SREEJITH
R1 BY ADV. SRI.M.PROMODH KUMAR**

THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 15-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sab

P.UBAID, J.

Tr.P (Crl.) No.105 of 2013

Dated this the 15th day of January, 2015.

O R D E R

The petitioner herein is the respondent in M.C 99/2013 of the Judicial First Class Magistrate, Malappuram, brought by his wife under Section 12 of the Protection of Women from Domestic Violence Act, for different reliefs. The petitioner is a resident of Palakkad, but his wife is a resident of Kondotty. The petitioner now seeks transfer of the said case from the court at Malappuram to the court at Palakkad. The reason stated by the petitioner is that he is seriously ill, and he is not in a position to make long distance travel. The documents produced by him in this court will not show that his complaints are not that serious, making it impossible for him to travel for about 70 Kms from Palakkad to Malappuram. If the request is allowed, the lady will have to travel from Kondotty to Palakkad, which will come to about 110 Kms. Of course, as the respondent the petitioner will not have to attend the court on every posting date. He may have to appear once or twice to give

evidence. The reason stated by him is not acceptable at all, as a ground to transfer the proceeding from Malappuram to Palakkad.

In the result, this transfer petition is dismissed.

P.UBAID,
JUDGE

sab