

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE SUNIL THOMAS

MONDAY, THE 20TH DAY OF JULY 2015/29TH ASHADHA, 1937

Tr.Appeal(C).No. 4 of 2015 ()

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AGAINST THE ORDER IN Tr.P(C) 228/2015 of HIGH COURT OF KERALA
DATED 28.5.2015**

APPELLANT(S)/PETITIONER:

**SINIMOL N,
D/O.NARAYANAN,
RESIDING AT MADATHATTU HOUSE,
AYAVANA P.O, ERANALLOOR VILLAGE,
MUVATTUPUZHA TALUK,
ERNAKULAM DISTRICT.**

BY ADV. SRI.GEORGEKUTTY MATHEW

RESPONDENT(S)/RESPONDENT:

**ASHOK KUMAR V.S.,
S/O.VELAYUDHAN NAIR,
RESIDING AT APSARA, MUTTUCAUD P.O,
VENGANOOR, KOVALAM,
THIRUVANANTHAPURAM DISTRICT,
PIN-695 523.**

R BY SRI.AYYAPPAN SANKAR

**THIS TRANSFER APPEAL(CIVIL) HAVING COME UP FOR ADMISSION ON
20-07-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DG

**THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.**

Tr. A (C).No.4 of 2015

Dated this the 20th day of July, 2015

J U D G M E N T

Thottathil B.Radhakrishnan, J.

- 1.This appeal is against an order by which the learned single Judge refused to transfer a proceedings pending in the Family Court, Thiruvananthapuram to Family Court, Muvattupuzha. We have heard the learned counsel for the appellant.

- 2.The appellant is the wife. Going by the materials, the matrimonial home was in Thiruvananthapuram. She sued the husband for maintenance by instituting an M.C case with the Family Court, Thiruvananthapuram. During the course of proceedings for divorce, it appears that mediation proceedings were also carried before the Family Court, Thiruvananthapuram. The wife, thereafter, pleaded that she has lost her job at Thiruvananthapuram and has shifted from the rented premises to the family house in Muvattupuzha. The learned single Judge took the view that since the trial is all

that remains and recording of evidence can be done on a particular day as may be chosen by the petitioner before us, there is no reason to transfer the case. We think that ends of justice stands satisfied by due exercise of discretionary power by the learned single Judge while dealing with the transfer application. The impugned order does not merit interference in an intra court appeal. No further directions or orders are called for. This appeal, therefore, fails.

In the result, this appeal is dismissed in limine.

Sd/-
(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

Sd/-
(SUNIL THOMAS, JUDGE)

//TRUE COPY//

P.A TO JUDGE

DG