

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

FRIDAY, THE 16TH DAY OF OCTOBER 2015/24TH ASWINA, 1937

Tr.P(C).No. 11 of 2015

OP 593/2013 OF FAMILY COURT, THRISSUR DATED 17-04-2013

PETITIONER(S)/PETITIONER:-:

**SARALA CATHERINE MUNDASSERY, AGED 73 YEARS,
D/O.LATE P.M.VARGHESE, PUTHIYAKULANGARA HOUSE,
VAZHAKULAM, VIA MUVATTUPUZHA, ERNAKULAM DISTRICT,
RESIDENT OF APARTMENT NO.4, KAYALORAM, FERRY ROAD,
COCHIN - 682 013.**

**BY ADVS.DR.SEBASTIAN CHAMPAPPILLY
SRI.KURIAN ANTONY EDASSERY
SRI.GEORGE CLEETUS**

RESPONDENT(S)/RESPONDENT:-:

**JOSE MUNDASSERY, AGED 74 YEARS,
S/O.JOSEPH MUNDASSERY, MUNDASSERY BHAVAN,
KIZHAKKUMBATTUKARA, THRISSUR - 680 005,
ALTERNATIVELY RESIDING OF - 35, QUARY STREET,
APARTMENT NO.109, PRINCETON,
NEW JERSEY - 08542, USA.**

**BY ADVS. SRI.P.B.KRISHNAN
SRI.P.B.SUBRAMANYAN
SRI.SABU GEORGE**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 16-10-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONERS' ANNEXURES

ANNEXURE 1: (TRUE COPY OF OP.593/13 DATED 17/4/13) FAMILY COURT, THRISSUR

**ANNEXURE 2: (TRUE COPY OF MC.114/13 DATED 16/4/13 FAMILY COURT,
ERNAKULAM**

**ANNEXURE 3: TRUE COPY OF IA.1404/14 DATED 7/4/14 FILED BEFORE THE FAMILY
COURT, THRISSUR.**

**ANNEXURE 4: TRUE COPY OF MP.730/14 DATED 24/8/14 FILED BEFORE THE FAMILY
COURT AT ERNAKULAM**

**ANNEXURE 5: TRUE COPY OF LIST OF WITNESSES FILED BEFORE THE FAMILY
COURT, THRISSUR IN OP.593/13**

**ANNEXURE 6: TRUE COPY OF LIST OF DOCUMENTS AND ADDITIONAL LIST OF
DOCUMENTS FILED BEFORE THE FAMILY COURT, THRISSUR IN
OP.593/13**

**ANNEXURE 7: TRUE COPY OF LIST OF WITNESS FILED BEFORE THE FAMILY COURT,
ERNAKULAM IN MC.114/13**

**ANNEXURE 8: TRUE COPY OF LIST OF DOCUMENTS FILED BEFORE THE FAMILY
COURT, ERNAKULAM IN MC.114/13.**

RESPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

K. ABRAHAM MATHEW, J.

Tr.P.(C) No.11 of 2015

Dated this the 16th day of October, 2015

ORDER

Petitioner has filed O.P.No.593 of 2013 in Family Court, Thrissur against the respondent who was her husband. The prayer is to transfer it to Family Court, Ernakulam.

2. Heard.

3. There is no dispute that the petitioner as well as the respondent now reside in the United States of America. It does not make any difference for them if the case is enquired into by the Family Court at Thrissur or Ernakulam. So I am of the view that the prayer to transfer the O.P.No.593 of 2013 on the file of Family Court, Thrissur cannot be allowed.

In the result, this transfer petition is dismissed.

sd/-

**K. ABRAHAM MATHEW
JUDGE**

R.AV

//True Copy//

PA to Judge