

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 2ND DAY OF FEBRUARY 2015/13TH MAGHA, 1936

Tr.P(C).No. 66 of 2015 ()

OP(DIV) NO. 886/2013 OF FAMILY COURT, THIRUVALLA

PETITIONER :

**JOSEPH MATHEW,
AGED 44, S/O.C.P.MATHEW,
SRAMPICKAL HOUSE, KALLOOPPARA P.O.,
MALLAPPALLY TALUK, PATHANAMTHITTA DISTRICT.**

**BY ADVS.SRI.V.PHILIP MATHEW
SRI.GIBI C.GEORGE**

RESPONDENT :

**MANCHU ELIZABETHU JOSEPH, AGED 34 YEARS,
D/O.MATHEW PAILY, MAKKAL HOUSE, THOTTAMON P.O.,
RANNI VILLAGE
PATHANAMTHITTA DISTRICT
REPRESENTED BY HER NEXT FRIEND AND FATHER MATHEW PAILY.**

**THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 02-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Mn

...2/-

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A1 : COPY OF OP NO. 886/2013 FILED BY PETITIONER BEFORE THE FAMILY COURT, THIRUVALLA SEEKING FOR A DECREE OF DIVORCE.

ANNEXURE A2 COPY OF OP NO. 1119/2013 FILED BY RESPONDENT BEFORE THE FAMILY COURT, PATHANAMTHITTA AGAINST THE PETITIONER FOR RESTITUTION OF CONJUGAL RIGHTS.

ANNEXURE A3 COPY OF MC NO. 211/2013 FILED BY RESPONDENT BEFORE FAMILY COURT, PATHANAMTHITTA.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

P.BHAVADASAN, J.

Tr.P.(C) No. 66 of 2015

Dated this the 02nd day of February, 2015

ORDER

This is a petition filed under Section 24 of the C.P.C. seeking to have O.P.(Div.)No.886/2013 pending before the Family Court, Thiruvalla transferred to Family Court, Pathanamthitta.

2. Suffice to say that the marital relationship between the petitioner and the respondent became bitter and litigations began. Both instituted proceedings before the Family Court. The respondent herein instituted proceedings for restitution of conjugal rights and other reliefs before the Family Court, Pathanamthitta. The petitioner in his turn instituted O.P.No. 886/2013 before the Family Court, Thiruvalla. The petitioner now feels that it will be only in the interest of all parties that both the matter be disposed of by the same court and he therefore prays that O.P.No.886/2013 may be transferred from the Family Court,

Thiruvalla to Family Court, Pathanamthitta where the respondent has already filed a petition.

3. In the light of the fact that transfer of a case filed by the petitioner is being sought for, to a place where there is already a petition filed by the respondent is pending no prejudice will be caused to the respondent even though no notice is ordered on this petition.

This petition is allowed and O.P.(Div.)No.886/2013 pending before the Family Court, Thiruvalla shall stand transferred to Family Court, Pathanamthitta.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge