

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 28TH DAY OF MAY 2015/7TH JYAISHTA, 1937

Tr.P(C).No. 116 of 2015 ()

**(TO TRANSFER OP(G & W).NO. 123/2015 OF FAMILY COURT, NEDUMANGAD TO
FAMILY COURT, THIRUVANANTHAPURAM)**

PETITIONER/PETITIONER :

**L.B.JOSE, S/O. D.J.LAWRENCE,AGED 43 YEARS,
L.B.S. BHAVAN, PP XVII/272,
KATTAKODE ROAD, NEAR EXCISE RANGE OFFICE,
KATTAKKADA P.O., THIRUVANANTHAPURAM-695 522.**

BY ADV. SRI.LATHEESH SEBASTIAN

RESPONDENT/RESPONDENT :

**T.S.PREMJAYA, D/O. S.SAVITHRI, AGED 39 YEARS,
THEKKETHATTU VEEDU,
NEAR ABADNANDA ASHRAMAM, MARIYAPURAM P.O.,
NEYYATTINKARA TALUK, THIRUVANANTHAPURAM DISTRICT,
NOW RESIDING AT FLAT NO.C-49, NGO QUARTERS,
MARYKUNNU P.O., VELLINADUKUNNU, CALICUT-673 012.**

**BY DR.K.P.SATHEESAN,SENIOR ADVOCATE
ADVS. SRI.M.R.JAYAPRASAD
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 28-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Tr.P(C).No. 116 of 2015

APPENDIX

PETITIONER'S ANNEXURES:

ANNEX A1 COPY OF THE O.P(G&W) NO.123/2015 OF FAMILY COURT, NEDUMANGAD.

ANNEX A2 COPY OF THE FIR IN CRIME NO.365/2013 OF NEDUMANGAD POLICE STATION.

ANNEX A3 COPY OF THE DISCHARGE SUMMARY OF THE PETITIONER FROM THE S.M.C.S.I MEDICAL COLLEGE & HOSPITAL, KARAKONAM.

RESPONDENT'S ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
Tr.P.(C) No.116 of 2015
.....

Dated this the 28th day of May, 2015

ORDER

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Petitioner in OP(G&W) No.123/2015 of the Family Court, Nedumangad has come up with the request for getting the said OP transferred from the Family Court, Nedumangad to the Family Court, Thiruvananthapuram. According to the petitioner, on 08.04.2013 at 12.30 p.m., when he was discussing his case with his counsel at the premises of the Family Court, Nedumangad, he was attacked by the learned counsel appearing for the respondent and also his associates. He has suffered undisplaced styloid fracture on his left wrist. Copy of the

discharge summary has been produced as Annexure-A3. Copy of the F.I.Statement is produced as Annexure-A2. He apprehends danger to his life in case he is asked to appear before the Family Court, Nedumangad, as a section of the Bar nurtures hostility towards him.

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

3. According to the learned counsel for the respondent, the minor is residing with the respondent at Kozhikode where the respondent is working now. The minor is also studying there. Therefore, in the counter affidavit, she has requested for the transfer of the case from the Family Court, Nedumangad to the Family Court, Kozhikode.

4. It seems that the petitioner has genuine reasons to prefer this petition for transfer. The request of the respondent to get the matter transferred to Kozhikode cannot be entertained at present. There is no reason to deny the relief sought for by the petitioner.

Tr.P.C.116/2015

: 3 :

In the result, this Tr.P.(C) is allowed and O.P.(G&W) No.123/2015 pending before the Family Court, Nedumangad is ordered to be transferred to the Family Court, Thiruvananthapuram.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/28/05

// True Copy //

PA to Judge