

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT:**

**THE HONOURABLE MR. JUSTICE B.KEMAL PASHA**

**TUESDAY, THE 30TH DAY OF JUNE 2015/9TH ASHADHA, 1937**

**Tr.P(C).No. 185 of 2015 ()**

**OP 742/2014 of FAMILY COURT, KANNUR**

**PETITIONER :**

**PARVATHY VENUGOPAL, AGED 31 YEARS,  
D/O.BHASKARAN NAIR, RESIDING AT THAMBU HOUSE, KOTHALA  
SURYANARAYANAPURAM, KOTTAYAM DISTRICT.**

**BY ADVS.SRI.N.RADHAKRISHNAN  
SMT.GIRIJA.L.**

**RESPONDENT :**

**DE.LENOY L.R. @ LENOY LEELA KRISHNAN RAMADEVI, AGED 35 YEARS  
JITHESH HOUSE, PALAKULANGARA, TALIPARAMBA P.O.  
KANNUR PRESENTLY WORKING AT ST.JOSEPH'S HOSPITAL,  
KARUVANCHAL P.O., KANNUR - 670 571.**

**BY ADV. SRI.P.NARAYANAN  
BY ADV. SRI.NICHOLAS JOSEPH**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD  
ON 30-06-2015, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**bp**

Tr.P(C).No. 185 of 2015 ()

**APPENDIX**

**PETITIONER'S ANNEXURES :**

**ANNEXURE A1: COPY OF THE OP NO. 742/2014 PENDING BEFORE THE FAMILY COURT, KANNUR.**

**RESPONDENT'S ANNEXURES : NIL.**

**//TRUE COPY//**

**P.S. TO JUDGE**

**bp**

**B.KEMAL PASHA, J.**

.....  
Tr.P.(C) No.185 of 2015  
.....

Dated this the 30<sup>th</sup> day of June, 2015

**ORDER**

Petitioner seeks for the transfer of OP 742/2014 filed by the respondent husband before the Family Court, Kannur to the Family Court, Ettumannoor.

2. According to the petitioner, being a lady it is very difficult for her to travel all the way from Ettumannoor to Kannur for conducting the case.

3. The respondent has appeared and filed a detailed counter affidavit affirming that the petitioner is remaining in Finland and she has appointed a Power of Attorney Holder. She is not personally appearing before the Family Court, Kannur for contesting the matter. Therefore, it

is not correct to say that she finds it difficult to travel all the way from Ettumannoor to Kannur for conducting the case. The respondent is working as a Doctor at the St.Joseph Hospital, Karuvanchal, Kannur as a physician.

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

5. The learned counsel for the petitioner has pointed out that even though the petitioner has appointed a Power of Attorney Holder, the Power of Attorney is her aged father and it will be difficult for him to travel to Kannur for conducting the case. Specifically the petitioner has sought for the transfer on the ground that being a lady it is difficult for her to travel all the way from Ettumannoor to Kannur to conduct the case. When she has appointed a Power of Attorney Holder, the said ground no longer exists.

6. The inability of the Power of Attorney Holder of the petitioner or his old age does not assume any importance at all in the matter. The petitioner can appoint

another Power of Attorney Holder, if she chooses for the same. On going through the facts and circumstances of the case and after hearing either side, this Court is of the view that it is not just and convenient in the interest of justice to transfer the case as prayed for.

In the result, this Transfer Petition is dismissed. It is made clear that if the petitioner comes over here, and wants to appear personally, this order will not stand in the way of her filing another Transfer Petition, at appropriate stage, if so advised.

**Sd/- B.KEMAL PASHA, JUDGE**

ul/-

[True copy]

P.S. to Judge