

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

MONDAY, THE 22ND DAY OF JUNE 2015/1ST ASHADHA, 1937

Tr.P(C).No. 252 of 2015 ()

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TRANSFER OP(G&W) NO.69/2013 OF DISTRICT COURT, THODUPUZHA TO
DISTRICT COURT, THRISSUR.**

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PETITIONER(S):

**SONIA, AGED 31 YEARS,
W/O. DIBIN, MALIYEKKAL HOUSE,
CHERROR P.O., IRINJALAKUDA, THRISSUR.**

BY ADV. SRI.M.PREMCHAND.

RESPONDENT(S):

- 1. GEORGE @ VAKACHAN, S/O. JOSEPH,
PUTHOORKKARAPLACKAL HOUSE, LONE TREE,
P.O. PORIKANNY KARA, UPPUTHARA VILLAGE,
PEERMADE TALUK, POIN-685 505.**
- 2. DIBIN, S/O. BABY, THEKKANAL HOUSE,
KANCHIYAR P.O., AYYAPPANCOVIL VILLAGE,
PRESENTLY RESIDING AT MALIYEKAL HOUSE,
CHEROOR P.O., IRINJALAKUDA.**

R1 BY ADV. SRI.RAJU SEBASTIAN VADAKKEKKARA.

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-06-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURE A1 COPY OF THE OP(G&W) NO.69/2013 FILED BY THE
RESPONDENT BEFORE THE DISTRICT COURT, THODUPUZHA.**

**ANNEXURE A2 COPY OF THE I.A FILED TO IMPEAD THE PETITIONER
AS THE ADDITIONAL 2ND RESPONDENT.**

ANNEXURE A3 COPY OF THE ORDER DATED 25/03/2014 IN O.P. NO. 1706/2013.

RESPONDENT'S ANNEXURES:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

B.KEMAL PASHA, J.

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Tr.P.(C). No.252 of 2015

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Dated this the 22nd day of June, 2015

ORDER

The petitioner is the wife of the 2nd respondent. She is seeking the transfer of O.P.(G&W)No.69 of 2013 pending before the District Court, Thodupuzha to the Family Court, Thrissur.

2. The petitioner is the step-mother of the child. The 1st respondent herein is the maternal grandfather of the child. The child is presently living with the petitioner at Thrissur. The mother of the child is no more. On the death of the mother of the child, her father married the present petitioner.

3. Even though notices have been served on the respondents, there is no representation for the respondents.

Heard the learned counsel for the petitioner.

4. It seems that already the Family Court, Thrissur has passed an order under Section 7 of the Family Courts Act, thereby restraining the 1st respondent herein, his wife and their men from taking away the minor from the custody of the petitioner herein and 2nd respondent herein forcibly. Presently the minor is residing with the petitioner. Therefore, in this matter, the Family Court, Thrissur has to exercise jurisdiction. Necessarily O.P.(G&W) No.69 of 2013 pending before the District Court, Thodupuzha has to be transferred to the Family Court, Thrissur.

In the result, this Transfer Petition (Civil) is allowed and O.P.(G&W) No.69 of 2013 pending before the District Court, Thodupuzha is transferred to the Family Court, Thrissur.

Sd/-

B.KEMAL PASHA
JUDGE