

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

THURSDAY, THE 23RD DAY OF JULY 2015/1ST SRAVANA, 1937

Tr.P(C).No. 276 of 2015

**TO TRANSFER O.P(DIV.)NO. 854/2015 OF FAMILY COURT, ERNAKULAM TO
FAMILY COURT, KOLLAM**

PETITIONER(S) :

**JOJIMOL, AGED 28 YEARS,
D/O.PETER JOLLY, PARAVILA HOUSE, KUMBALAM P.O.,
MULAVANA, KOLLAM DISTRICT, PIN- 691 503.**

**BY SRI.KURIAN GEORGE KANNANTHANAM (SENIOR ADVOCATE)
ADV. SRI.THOMAS GEORGE**

RESPONDENT(S) :

**LEJU GEORGE, AGED 34 YEARS,
S/O.BABY GEORGE, MADATHEDATH HOUSE, ERUVELI,
CHOTTANIKKARA P.O., KANAYANNUR TALUK, PIN- 682 312.**

BY ADV. SRI.SUNNY ZACHARIAH

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-07-2015, ALONG WITH Tr.P(C).No.277 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

APPENDIX

PETITIONER(S)' ANNEXURES :

- ANNEXURE A1: A TRUE COPY OF THE POLICE COMPLAINT
DATED 20.03.2015.
- ANNEXURE A2: A TRUE COPY OF THE NOTICE DATED 12.05.2015 ISSUED
IN O.P(DIV.)NO.854/15.
- ANNEXURE A3: A TRUE COPY OF THE O.P(DIV.)NO.854/15 FILED BEFORE
THE FAMILY COURT, ERNAKULAM.
- ANNEXURE A4: A TRUE COPY OF THE C.M.P.NO.3304/15 IN M.C.NO.94/2015
FILED BEFORE THE JFCM, KOLLAM.
- ANNEXURE A5: A TRUE COPY OF THE C.M.P.NO.3303/2015 IN
M.C.NO.94/2015 FILED BEFORE THE JFCM, KOLLAM.

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.A.TO JUDGE.

Msd.

B. KEMAL PASHA, J.

.....
Tr.P.(C) Nos.276 & 277 of 2015
.....

Dated this the 23rd day of July, 2015

ORDER

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Through Tr.P.(C) No.276/2015, the petitioner wife seeks the transfer of O.P.No.854/2015 filed by the respondent husband seeking divorce before the Family Court, Ernakulam, to the Family Court, Kollam. Through Tr.P.(C) No.277/2015, the petitioner seeks the transfer of O.P.(G&W) No.855/2015 filed by the respondent before the Family Court, Ernakulam, to the Family Court, Kollam. The petitioner wife is residing at Kumbalam within the jurisdiction of the Family Court, Kollam. The child is also residing with her and the child is in her care and custody. The child is pursuing his studies in a school at Kumbalam. The petitioner is employed as a Staff Nurse at Holycross Hospital, Kottiyam.

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

3. The learned counsel for the petitioner has pointed

out that initially, both the said OPs were filed by the husband by showing that the petitioner is a mentally ill person, who is in need of treatment. An inquisition was conducted by the Family Court, Ernakulam in the matter and ultimately, those petitions for appointment of guardian to the petitioner were dismissed by the Family Court, Ernakulam.

4. On hearing the learned counsel for the parties and considering the facts and circumstances of the case, this Court is satisfied that it is just and convenient in the interest of justice to transfer O.P.No.854/2015 and O.P.(G&W) No.855/2015 filed by the respondent before the Family Court, Ernakulam to the Family Court, Kollam.

In the result, these transfer petitions are allowed and O.P.No.854/2015 and O.P.(G&W) No.855/2015 pending before the Family Court, Ernakulam are ordered to be transferred to the Family Court, Kollam.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/23/07

// True Copy //

PA to Judge