

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

THURSDAY, THE 3RD DAY OF SEPTEMBER 2015/12TH BHADRA, 1937

Tr.P(C).No. 337 of 2015 ()

TRANSFER O.P. NO. 355/2014 OF FAMILY COURT, THIRUVALLA TO FAMILY COURT,
MAVELIKKARA, SO AS TRY ALONG WITH O.P. NO.360/2015.

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PETITIONER(S):

DEEPA G.,
D/O. LATE GOPALAKRISHNAN UNNITHAN,
AGED 39 YEARS, PULAYIRETH HOUSE,
VALLIKUNNAM VILLAGE, MAVELIKKARA TALUK.

BY ADVS.SRI.K.S.SIVA KUMAR,
SRI.C.B.SREEKUMAR,
SRI.K.SREEKUMARAN NAIR.

RESPONDENT(S):

PRABHULLACHANDRAN K.B.,
S/O. LATE BHASKARAN NAIR, AGED ABOUT 44 YEARS,
VAROTTIL VEEDU, EZHAKADAVU P.O.,
CHERUKOLE P.O, CHERUKOLE MURI,
CHENNITHALA VILLAGE, MAVELIKKARA TALUK-690 019.

BY ADVS. SRI.P.B.KRISHNAN,
SRI.P.M.NEELAKANDAN,
SRI.P.B.SUBRAMANYAN,
SRI.SABU GEORGE,
SRI.S.NITHIN (ANCHAL).

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-09-2015, ALONG WITH TP(C). NO. 416 OF 2015, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

- ANNEXURE A1** COPY OF THE ORIGINAL PETITION NUMBERED AS O.P. NO.355 OF 2014 FILED BEFORE THE FAMILY COURT, THIRUVALLA BY THE RESPONDENT DATED 26/08/2014.
- ANNEXURE A2** COPY OF THE PETITION AS O.P. NO.55 OF 2015 DATED 12/02/2015.
- ANNEXURE A3** COPY OF THE PETITION AS O.P. NO. 360/2015 BEFORE THE FAMILY COURT, MAVELIKKARA DATED APRIL 2015.

RESPONDENT'S ANNEXURES:-

- ANNEXURE R1A** COPY OF THE JUDGMENT DATED 02/07/2014 IN O.P. NO.81/2013 ON THE FILE OF THE FAMILY COURT, MAVELIKKARA.
- ANNEXURE R1B** COPY OF THE AFFIDAVIT DATED 03/02/2012 FILED BY THE PETITIONER IN CRL.MP. NO.9782 OF 2011 ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, THIRUVALLA.
- ANNEXURE R1C** COPY OF THE OBJECTION DATED 10/03/2015 FILED BY THE PETITIONER IN O.P. NO.355 OF 2014 ON THE FILE OF FAMILY COURT, THIRUVALLA.

//TRUE COPY//

PA. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.

Tr.P.(C)Nos.337 and 416 of 2015

Dated this the 3rd day of September, 2015.

J U D G M E N T

The petitioner in both the above Transfer petitions is the wife of the respondent.

2. The petitioner/wife has filed O.P.No.360/15 on the file of Family court, Mavelikkara, for return of money from the husband.

3. The respondent/husband has filed O.P.No.355/14 for recovery of money on the file of the Family court, Thiruvalla. The husband has also filed O.P.55/15 before the Family court, Thiruvalla, for divorce.

4. This Court is of the view that, since there are common issues to be tried together in all the cases, all these cases are to be tried at one Family court. There is no much distance between the Family courts at Thiruvalla and Mavelikkara. In that view of the matter, this Court is of the view that, no prejudice will be caused to any of the parties,

if the cases are tried at one Family court. Therefore, all the above original petitions are ordered to be transferred to Family court, Mavelikkara. Accordingly, the following orders are issued :

- 1) O.P.No.55/15 pending on the file of Family court, Thiruvalla, shall be transferred to Family court, Mavelikkara.
- 2) O.P.No.355/14 pending on the file of Family court, Thiruvalla, shall also be transferred to Family court, Mavelikkara.
- 3) All the above cases, including O.P.No.360/15 pending on the file of Family court, Mavelikkara, shall be tried together.

The above Transfer petitions are disposed of accordingly.

Sd/-
A.MUHAMED MUSTAQUE,
Judge.

ami/

//True copy//

P.A.to Judge