

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. 348 of 2015

OP 101/2006 of FAMILY COURT, THIRUVALLA

PETITIONER(S):

**SARAMMA JOSEPH,
PULINTHITTA HOUSE, KEEKOZHOOOR, RANNY,
PATHANAMTHITTA.**

**BY ADVS.SRI.JACOB P.ALEX
SRI.JOSEPH PALEX**

RESPONDENT(S):

**K.T. JOSEPH,
INCHAKALAYIL HOUSE,
PAZHAVANGADI VILLAGE AND MURI,
RANNY, PATHANAMTHITTA.**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 23-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Tr.P(C).No. 348 of 2015

APPENDIX

PETITIONER'S ANNEXURS

ANNEXURE 1: COPY OF THE JUDGMENT DATED 1/12/2014 IN TR.PC.NO.576/14

**ANNEXURE 2: COPY OF THE IA.DATED 29/5/15 BEFORE FAMILY COURT, THIRUVALLA
SEEKING TO SET ASIDE THE ORDER OF DISMISSAL OF IA.NO.1416/11
DATED 21/8/14.**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

=====

Tr.P.(C)No.348 of 2015

=====

Dated this the 23rd day of July, 2015

ORDER

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

2. The petitioner seeks for the transfer of Final Decree proceedings in respect of O.P.No.101 of 2006 also from the Family Court, Thiruvalla to the Family Court, Pathanamthitta. Originally, through Annexure 1 order in Tr.P.(C)No.576 of 2014, this Court has transferred E.P.No.16 of 2014 in O.P.No.101 of 2006 from the Family Court, Thiruvalla to the Family Court, Pathanamthitta.

3. At the same time, in the order it was omitted to include about the transfer of the Final Decree proceedings

also. As the petitioner was under the impression that the Final Decree proceedings were also transferred along with E.P., the petitioner could not appear before the Family Court, Thiruvalla in the matter. It seems that the Final Decree proceedings were dismissed consequent to the non appearance of the party. The petitioner has filed an application before the Family Court, Thiruvalla to get it restored and the same is pending.

4. Notice has been served on the respondent. There is no representation for the respondent. Heard the learned counsel for the petitioner.

5. On hearing the learned counsel for the petitioner and on 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 all the applications in connection with O.P.No.101 of 2006 from the Family Court, Thiruvalla to the Family Court, Pathanamthitta.

In the result, this Transfer Petition (Civil) is allowed and all the proceedings including all the interlocutory

applications in O.P.No.101 of 2006 of the Family Court, Thiruvalla are ordered to be transferred to the Family Court, Pathanamthitta.

Sd/-

B.KEMAL PASHA
JUDGE

DSV/23/7/15