

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE K.ABRAHAM MATHEW

THURSDAY, THE 10TH DAY OF DECEMBER 2015/19TH AGRAHAYANA, 1937

Tr.P(C).No. 648 of 2015

**OP(G&W) 1175/2015 OF FAMILY COURT, ATTINGAL TO FAMILY COURT,
IRINJALAKKUDA**
.....

PETITIONER(S)/RESPONDENT:

**BHUVANESWARI, AGED 57 YEARS,
W/O.LATE GOPALAN, KOLLAMPARAMBIL HOUSE, THANISSERY,
MUKUNDAPURAM TALUK, THRISSUR DISTRICT.**

**BY ADVS.SRI.SANTHOSH P.PODUVAL
SMT.R.RAJITHA
SMT.VINAYA V.NAIR**

RESPONDENT(S)/PETITIONER:

**SUNEESHKUMAR, AGED 42 YEARS,
S/O.LATE SUDHAKARAN, VARNAM NIVAS,
PUNNAMOODU DESOM, VARKALA VILLAGE,
THIRUVANANTHAPURAM DISTRICT-695 141.**

**BY ADVS. SRI.M.R.RAJESH
SMT.E.S.SANDHYA**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
10-12-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

msv/

Tr.P(C).No. 648 of 2015

APPENDIX

PETITIONER(S)' ANNEXURES:

**ANNEXURE A: TRUE COPY OF THE OP.923/15 ON THE FILE OF FAMILY COURT,
IRINJALAKKUDA.**

**ANNEXURE B: TRUE COPY OF PETITION IN OP(G & W) 1175/15 ON THE FILE OF
FAMILY COURT, ATTINGAL.**

RESPONDENT(S)' ANNEXURES:

**ANNEXURE R1(a): A TRUE COPY OF THE IA.NO.2197/2015 IN OP.NO.175/2015 OF
FAMILY COURT, ATTINGAL.**

**ANNEXURE R1(b): A TRUE COPY OF THE LETTER NO.1366/2015 DTD.20.11.2015
ISSUED BY THE FAMILY COURT, ATTINGAL TO FAMILY COURT,
IRINGALAKKUDA.**

//TRUE COPY//

P.S.TO JUDGE

Msv/

K.ABRAHAM MATHEW J.

Tr.P.(C)No.648 of 2015

Dated this the 10th day of December, 2015

ORDER

Petitioner is the respondent in O.P(G&W) 1175 of 2015 of Family Court, Attingal. She is the mother-in-law of the respondent. Her daughter was the wife of the respondent. The latter committed suicide. The Original Petition in the Family Court has been filed for custody of the petitioner's two children. The prayer in this Transfer Petition is to transfer the Original Petition from Family Court, Attingal to Family Court, Irinjalakuda.

2. Heard.

3. The respondent in this Original Petition and his wife were residing at his house at Varkala. They have two children, daughter aged 7 years and son aged 3 ½ years. The wife of the petitioner in the Original Petition committed suicide. The police have registered a case against him for the offence under Section 306 IPC on the information given by his mother in law who is the petitioner in this Transfer Petition. The children are now in the custody of the petitioner in this Transfer Petition. The respondent has filed the Original Petition before the Family Court for the custody of the children.

4. The Transfer Petition is vehemently opposed by the respondent.

5. The petitioner in this Transfer Petition is aged 57 years. The court cannot expect her to travel all the way from Irinjalakuda where she is residing along with the children of the petitioner. She is a widow. The fact that the daughter of the respondent is aged 7 years and the son 3 ½ years also has to be taken notice of. In these circumstances, I am inclined to grant the prayer of the petitioner to transfer the Original Petition from Family Court, Attingal. But it is too inconvenient for the respondent to travel from Attingal to Irinjalakuda. Transfer of the case to Family Court, Ernakulam will be more convenient to him and it will not be inconvenient to the petitioner. So the Original Petition will be transferred to Family Court, Ernakulam.

In the result, this Transfer Petition is allowed. O.P.(G&W) No.1175 of 2015 of Family Court, Attingal is transferred to Family Court, Ernakulam. The parties shall appear before the Family Court, Ernakulam on 4.1.2016.

Sd/-
K.ABRAHAM MATHEW
JUDGE

cms

/True copy/

P.S.to Judge

H/o.