

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

Tr.P(Crl.).No. 7 of 2015

MC 81/2013 OF JUDICIAL FIRST CLASS MAGISTRATE COURT-II, ALUVA

PETITIONERS:-:

1. **ANAND RAJ.S., AGED 37 YEARS,
S/O.NATARAJAN, IRA-78, 49/1231,
KRISHNAKRIPA, INDIRA ROAD, EDAPPALLY,
KOCHI - 682 024.**
2. **NATARAJAN, AGED 67 YEARS,
S/O.MUTHUKRISHNA IYER, IRA-78, 49/1231
KRISHNAKRIPA, INDIRA ROAD, EDAPPALLY,
KOCHI - 682 024.**
3. **RADHA, AGED 64 YEARS,
W/O.NATARAJAN, IRA-78, 49/1231,
KRISHNAKRIPA, INDIRA ROAD, EDAPPALLY,
KOCHI - 682 024.**

**BY ADVS.SMT.SALLY THOMAS CHACKO
SRI.R.MANOJ**

RESPONDENT(S):

**VEENA.S, AGED 29 YEARS,
2605, D1 FLOOR, AGRAHARA, MANIKKIRY,
M.G.LINK ROAD, VALANJAMBALAM, COCHIN-682011.**

BY ADV. SMT.K.V.BHADRA KUMARI

**THIS TRANSFER PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 01-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONERS' ANNEXURES

- A1: COPY OF THE OP.2153/13 ON THE FILES OF THE FAMILY COURT, ERNAKULAM
DATED 13/11/13
- A2: COPY OF THE OP.2153/13 ON THE FILES OF THE FAMILY COURT, ERNAKULAM
DATED 9/11/13
- A3: COPY OF THE MC.81/2013 ON THE FILES OF THE JUDICIAL MAGISTRATE OF
FIRST CLASS II, ALUVA DATED 21/12/13
- A4: COPY OF THE OP.2368/13 ON THE FILES OF THE FAMILY COURT, ERNAKULAM
DATED 23/12/13
- A5: COPY OF THE OP.2369/13 ON THE FILES OF THE FAMILY COURT, ERNAKULAM
DATED 23/12/13
- A6: COPY OF THE MEMORANDUM OF ORIGINAL PETITION IN OP.(G&W)
NO.975/2014 N THE FILES OF THE FAMILY COURT, ERNAKULAM.

RESPONPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

ALEXANDER THOMAS, J.

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Dated this the 1st day of July, 2015.

ORDER

The prayer in this petition is for a direction from this Court to order transfer of M.C.No.81/2013 pending on the file of the Judicial First Class Magistrate Court-II, Aluva to the Family Court, Ernakulam in the interest of justice.

2. Both the rival parties concerned has agreed for attempting mediated resolution of the outstanding disputes pending between them. Since several connected matters pending before various courts, the matter was referred to the Kerala State Mediation and Conciliation Centre, Ernakulam attached to this Court. Now, the mediator of the mediation centre has furnished a settlement agreement report under Rule 24(3) of Civil Procedure (Alternative Dispute Resolution) Rules, 2008. It is inter alia stated in clause (10) of the settlement report that the respondent-wife agrees to withdraw M.C.No.81/2013 pending on the file of the Judicial First Class Magistrate Court-II, Aluva. It is not necessary to go into the final aspects of the various process in the mediation agreement. As the main case, M.C.No.81/2013 pending on

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the file of the Judicial First Class Magistrate Court-II, Aluva which was sought to be transferred to another forum as per the prayer in this transfer petition, has already been agreed to be withdrawn by the respondent herein, nothing survives in this matter except to record the aforestated mediated settlement report filed before this Court and dispose of this petition by ordering that the said settlement shall form part of this order. Accordingly, it is ordered that the said provisions in the mediation settlement report filed before this Court is recorded and the mediation settlement shall form part of the records of this case.

Accordingly, this Transfer Petition (CrI) stands disposed of as above.

ALEXANDER THOMAS,
Judge.

bkn/-