

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE ALEXANDER THOMAS

THURSDAY, THE 18TH DAY OF JUNE 2015/28TH JYAISHTA, 1937

Tr.P(Crl.).No. 10 of 2015

**TO TRANSFER MC 243/2013 OF FAMILY COURT, THRISSUR TO FAMILY COURT,
IRINJALAKKUDA.**
.....

PETITIONER/PETITIONER :

**JINI, AGED 45 YEARS,
D/O. KOCHUKUTTAN, VADAKKOOT HOUSE,
KUNDUKUZHUPADAM, KUTTICHIRA P.O.,
MUKUNDAPURAM TALUK.**

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENT(S)/RESPONDENT :

- 1. GIREESH, AGED 55 YEARS, S/O. DAMODARAN,
EERAYI ARAKKALATH PUSHPAGIRI HOUSE,
POZHUTHANA P.O., WAYANAD-673 576.**
- 2. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM-682 031.**

**R1 BY ADVS. SRI.K.S.RAJESH
SRI.M.SHAJU PURUSHOTHAMAN
R2 BY PUBLIC PROSECUTOR**

**THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 18-06-2015 ALONG WITH TPC.41/2015, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

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APPENDIX

PETITIONER'S ANNEXURES:

- ANNEXURE I :** COPY OF THE MC 243/13 BEFORE THE FAMILY COURT, IRINJALAKKUDA.
- ANNEXURE II:** TRUE COPY OF THE OP 938/13 BEFORE THE FAMILY COURT, THRISSUR.
- ANNEXURE III:** COPY OF THE TRANSFER PETITION 320/14 FILED BY THE RESPONDENT BEFORE THIS HON'BLE COURT WITHOUT ANNEXURE.
- ANNEXURE IV:** COPY OF THE ORDER DATED 4.7.14 IN TR.P(C)320/2014 OF THIS HON'BLE COURT.
- ANNEXURE V:** COPY OF THE ORDER DATED 20.9.14 IN TR.P(CRL)51/14 OF THIS HON'BLE COURT.
- ANNEXURE VI:** TRUE COPY OF THE ORDER IN TR.P(C) NO.600/14 BEFORE THIS HON'BLE COURT.

RESPONDENTS' ANNEXURES: NIL.

//TRUE COPY//

P.S. TO JUDGE

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ALEXANDER THOMAS, J.

Tr.P.(CrI).No.41 & 10 Of 2015

Dated this the 18th day of June, 2015.

ORDER

These Transfer Petitions are filed by the petitioner-wife praying that both O.P.No.938/2013 (seeking return of gold and money) and M.C.No.243/2013 (for maintenance) now pending before the Family Court, Thrissur may be transferred to the Family Court, Irinjalakuda. The prayer made by the petitioner-wife is on the premise that she had earlier instituted these matters at Thrissur as the marriage had taken place at Thrissur. Now her father is no more and she is residing at Kuttichira near Irinjalakuda and she finds it very difficult to travel all the way from Kuttichira to Thrissur for conduct of these litigations.

2. The respondent-husband is residing at Wayanad and he has urged that it causes more inconvenience than travelling from Wayanad to Thrissur as it is much more easier to travel to Thrissur.

3. Since both these warring couples did not find a mutually acceptable venue to resolve their overblown disputes, this Court had gently attempted to persuade the counsel for the respondent-husband as to whether this Court may allow the prayer of the petitioner-wife. But the learned counsel reiterated the earlier stand.

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4. Having considered the totality of the facts and circumstances of the case and taking into account that the petitioner is a lady aged 45 years and she had to travel alone all the way from Kuttichira near Irinjalakuda to Thrissur, it is ordered in the interest of justice that both O.P.No.938/2013 and M.C.No.243/2013 pending on the file of the Family Court, Thrissur shall stand transferred to the Family Court, Irinjalakuda. Accordingly, the Family Court, Thrissur shall forthwith transmit and transfer the entire case papers in relation to these matters to the Family Court, Irinjalakuda within ten days from the date of receipt of a copy of this order.

5. The Family Court, Irinjalakuda within ten days from the date of receipt of transferred case file will issue notice to both parties and inform them about the next posting.

With these observations and directions, both the Transfer Petitions stand finally disposed of.

ALEXANDER THOMAS,
Judge.

bkn/-