

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 27TH DAY OF MAY 2015/6TH JYAISHTA, 1937

Tr.P(C).No. 236 of 2014 ()

IN OP 1944/2013 of FAMILY COURT, ERNAKULAM

PETITIONER(S):

CHINCHU GRACE LUKOSE,
D/O.P.L.LUKOSE, AGED 27 YEARS, PALLITHARA HOUSE,
VATYATTUPARAMBA P.O.,
VELLAD VILLAGE, TALIPARAMBA TALUK,
KANNUR DISTRICT. - 670 582.

BY ADVS.SRI.V.T.MADHAVANUNNI
SRI.V.A.SATHEESH
SRI.J.ABHILASH.

RESPONDENT(S):

1. VIVEK JOY,
AGED 27 YEARS, S/O.JOY JOSEPH,
HOUSE NO.35/1210A, INDIRA ROAD,
PALARIVATTOM P.O., ERNAKULAM DISTRICT-682 025.
2. JOY JOSEPH,
AGED 65 YEARS, S/O.JOSEPH, HOUSE NO.35/1210A,
INDIRA ROAD, PALARIVATTOM P.O.,
ERNAKULAM DISTRICT, 682 025.
3. BEENA JOY,
AGED 53 YEARS, W/O.JOY JOSEPH,
HOUSE NO.35/1210A, INDIRA ROAD,
PALARIVATTOM P.O., ERNAKULAM DISTRICT - 682 025.

BY ADV. DR.SEBASTIAN CHAMPAPPILLY,
BY ADV. SRI.KURIAN ANTONY EDASSERY,
BY ADV. SRI.GEORGE CLEETUS &
BY ADV. SMT.ANN EMIL JOSEPH.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-05-2015, ALONG WITH TPC.541/2014, THE COURT ON THE
SAME DAY PASSED THE FOLLOWING:

ivs.

APPENDIX

PETITIONER(S) ' ANNEXURES :

ANNEXURE A1- THE TRUE COPY OF THE PETITION IN OP NO.1944/2013 ON
THE FILE OF FAMILY COURT, ERNAKULAM DATED 21/10/2013.

ANNEXURE A2- THE TRUE COPY OF THE APPOIUNTMENT ORDER DATED
22/07/2013 ISSUED TO THE PETITIONER BY COCHIN
UNIVERSITY OF SCIENCE AND TECHNOLOGY.

RESPONDENT(S) ' ANNEXURES :

NIL.

/TRUE COPY/

P.A.TO JUDGE

RVS.

B.KEMAL PASHA, J.

.....
Tr.P.(C) Nos.236 & 541 of 2014
.....

Dated this the 27th day of May, 2015

ORDER

O.P. No.1944 of 2013 of the Family Court, Ernakulam was filed by the petitioner for return of gold ornaments, money etc. O.P.No.1582/2014 of the Family Court, Ernakulam was also filed by the petitioner seeking dissolution of marriage. Both the parties were residing at Ernakulam. The respondent is a permanent resident of Ernakulam. It seems that the petitioner has taken a new contract appointment at Kannur where she is residing now. Her native place is also Kannur. The request of the petitioner is to get both the original petitions transferred to the Family Court, Kannur.

2. Heard learned counsel for the petitioner and learned counsel for the respondents. I do not find any sufficient reason for effecting a transfer as prayed for in both these Transfer Petitions. The petitioner had willingly filed both the O.Ps before the Family Court, Ernakulam while she was residing at Ernakulam. Now she has taken a contract appointment at Kannur and presently her request is that the matter should be transferred to Family Court, Kannur. The said request cannot be permitted, especially when the respondent is residing at Ernakulam and the petitioner had willingly filed both the O.Ps at the Family Court, Ernakulam.

In the result, both these petitions are dismissed.

All the interlocutory applications in these petitions are dismissed.

Sd/- B.KEMAL PASHA, JUDGE

ul/-

[True copy]

P.S. to Judge