

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 22ND DAY OF JULY 2015/31ST ASHADHA, 1937

Tr.P(C).No. 317 of 2014 ()

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TRANSFER O.P. NO. 897/2013 OF FAMILY COURT, THIRUVALLA TO
FAMILY COURT, ETTUMANOOR.**

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PETITIONER:

**ROSHNI S.KURUVILA, D/O.LATE MATHEW THOMAS,
AGED 44 YEARS, SKYLINE ORCHID APARTMENTS,
BLOCK NO. II 4F, KANJIKUZH P.O, KOTTAYAM.**

**BY ADVS.SRI.BECHU KURIAN THOMAS,
SRI.ENOCH DAVID SIMON JOEL.**

RESPONDENT:

**SAJI KURUVILA, S/O.LATE T.V. KURUVILLA,
AGED 49 YEARS, KALLUPURACKAL HOUSE,
NEAR ST.JOHN'S CATHEDRAL, THIRUVALLA,
NOW RESIDING AT BUILDING NO. 30, B5, AL SHAB COLONY,
NEAR AL SAFIA SUPER MARKET, HOR AL AUZ,
P.O. BOX 72178, DUBAI, UNITED ARAB EMIRATES.**

BY ADV. SRI.S.SUBHASH CHAND.

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 22-07-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

rs.

APPENDIX

PETITIONER'S ANNEXURES:-

**ANNEXURES A1 COPY OF THE PETITION FILED BY THE PETITIONER AS
O.P. NO. 897/2013 BEFORE THE FAMILY COURT, THIRUVALLA.**

**ANNEXURES A2 COPY OF THE PETITION FILED BY THE PETITIONER AS
O.P. NO. (B&W) 955/2013 BEFORE THE FAMILY COURT,
ETTUMANOOR.**

RESPONDENT'S ANNEXURES:-

**ANNEXURE R1 COPY OF THE RELEVANT PAGE OF THE PASSPORT OF
THE PETITIONER.**

**ANNEXURE R2 COPY OF THE RELEVANT PAGE OF THE PASSPORT OF
THE PETITIONER.**

**ANNEXURE R3 COPY OF THE RELEVANT PAGE OF THE PASSPORT OF
THE YOUNGER DAUGHTER OF RACHEL S.KURUVILLA.**

**ANNEXURE R4 COPY OF THE RELEVANT PAGE OF THE PASSPORT OF
THE RESPONDENT INDICATING THE RESIDENTIAL
ADDRESS.**

//TRUE COPY//

PA. TO JUDGE

rs.

B. KEMAL PASHA, J.

.....
Tr.P.(C) No.317 of 2014
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Dated this the 22nd day of July, 2015

ORDER

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The petitioner wife seeks the transfer of O.P.No.897/2013 of the Family Court, Thiruvalla to the Family Court, Kottayam at Ettumanoor. The respondent husband has filed O.P.No.347/2013 before the Family Court, Thiruvalla seeking divorce. The petitioner has also filed O.P. (G&W) No.955/2013 seeking the custody of minor child before the Family Court, Kottayam at Ettumanoor. Even though the parties were referred for mediation, the mediation was not successful. There is no meaning in further attempting for any mediation here at present. According to the petitioner, she is presently employed in a private concern at Kottayam and she finds it difficult to travel all the way from Kottayam to Thiruvalla for conducting the cases.

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

3. The learned counsel for the respondent has vehemently opposed the transfer on the ground that the petitioner is also residing at Thiruvalla and not at Kottayam as averred. On going through the facts and circumstances of the case and on considering the submission made by either side, this Court is satisfied that it is just and convenient in the interest of justice to transfer O.P.No.897/2013 of the Family Court, Thiruvalla to the Family Court, Kottayam at Ettumanoor.

In the result, this Tr.P.(C) is allowed and O.P.No.897/2013 of the Family Court, Thiruvalla is ordered to be transferred to the Family Court, Kottayam at Ettumanoor.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/22/07

// True Copy //

PA to Judge