

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. 379 of 2014 ()

(TO TRANSFER OF OP.NO. 307/2014 OF FAMILY COURT, ALAPPUZHA TO FAMILY COURT, ERNAKULAM)

PETITIONER/PETITIONER:

**ANISHA ELIZABETH JOHN, AGED 35 YEARS,
D/O.K.PJOHN, CEARS MID TOWN APARTMENT,
K.P.VALLON ROAD, KOCHI-20.**

BY ADV. SRI.GEORGE JOHNSON

RESPONDENT/RESPONDENT:

**MATHEW ANTONY, AGED 45 YEARS,
S/O.K.M.ANTONY, KOLAPARAMBIL HOUSE, KALAVOOR P.O.,
ALLEPPEY-688 522.
WORKING AT: MATHEW ANTONY,
P.O.BOX:31738, DUBAI, U.A.E.**

BY ADV. SRI.B.S.SIVAJI

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 27-05-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Tr.P(C).No. 379 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX A1 COPY OF THE ORIGINAL PETITION NO.307/2014 FILED BEFORE THE
FAMILY COURT, ALAPPUZHA.**

RESPONDENT'S ANNEXURES:

NIL

/TRUE COPY/

P.A.TO JUDGE

sts

B. KEMAL PASHA, J.

.....
Tr.P.(C) No.379 of 2014
.....

Dated this the 27th day of May, 2015

ORDER

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There are serious disputes with regard to the jurisdiction of the Family Court, Ernakulam to deal with OP.516/2013 and MC.89/2013 pending before the Family Court filed by the petitioner against her husband. It seems that her husband, who is the respondent herein, has filed OP.307/2014 before the Family Court, Alappuzha, which is sought to be transferred to the Family Court, Ernakulam.

2. On perusing the counter filed by the respondent herein in MC.89/2013 and OP.516/2013, it seems that the respondent has raised serious questions with regard to the jurisdiction of the Family Court, Ernakulam to entertain the matters. Let the Family Court, Ernakulam decide the question of its jurisdiction to entertain those matters. Presently, this Tr.P.(C) is premature and the same is only to

be dismissed. If the Family Court, Ernakulam finds that it has jurisdiction to entertain the aforesaid matters, the petitioner will be free to move this Court once again.

With the said observations, this Tr.P(C) is dismissed. The Family Court, Ernakulam is directed to enter a finding with regard to its jurisdiction to entertain the matters in MC.89/2013 or OP.516/2013, as expeditiously as possible, at any rate, within three months from the date of receipt of a copy of this order. Till then, the proceedings in OP.307/2014 of the Family Court, Alappuzha will stand stayed.

Sd/-  
**(B.KEMAL PASHA, JUDGE)**

aks/27/05

*// True Copy //*

*PA to Judge*