

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 12TH DAY OF FEBRUARY 2015/23RD MAGHA, 1936

Tr.P(C).No. 415 of 2014 ()

**(FOR TRANSFERRING OP(HMA).NO. 491/2014 OF FAMILY COURT
MAVELIKKARA TO FAMILY COURT, PATHANAMTHITTA)**

PETITIONER :

**ASHA V.P, AGED 34 YEARS,D/O.PRABHAKARAN,
PUTHUPPARAMPIL, INCHAPPARA,KOODAL.P.O.,
PATHANAMTHITTA DISTRICT, NOW RESIDING AT BINU BHAVAN,
KONNI-MANGARAM MURI, KONNI VILLAGE,
PATHANAMTHITTA DISTRICT.**

BY ADV. SRI.K.SHAJ

RESPONDENT :

**RAJU RAGHAVAN, AGED 43 YEARS,
S/O.RAGHAVAN, VRINDAVAN, AREEKKARA,
MULAKKAZHA, CHENGANNUR, ALAPPUZHA DISTRICT -681 006**

**BY ADV. SRI.T.K.KOSHY
SRI.ABE RAJAN**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-02-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

sts

Tr.P(C).No. 415 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX A1 COPY OF THE O.P.(HMA) NO.491/2014 FILED BY THE RESPONDENT
BEFORE THE FAMILY COURT, MAVELIKARA.**

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.BHAVADASAN, J.

Tr.P.(C) No. 415 of 2014

Dated this the 12th day of February, 2015

ORDER

This is a petition filed under Section 24 of the C.P.C. seeking to have O.P.(HMA)No. 491/2014 pending before the Family Court, Mavelikkara transferred to Family Court, Pathanamthitta.

2. Suffice to say that the marital relationship between the parties fell part and that gave rise to the institution of proceedings by the respondent against the petitioner. After having authorized his father to conduct the case, the respondent is happily residing abroad.

3. The petitioner says that she is residing at Konni and she finds it extremely difficult to go out to Mavelikkara to attend the routine posting of the case. She also says that she is financially unsound and she has nobody to accompany her. She therefore prays that the case may be transferred to Family Court, Pathanamthitta.

4. The learned counsel appearing for the respondent very vehemently opposed the petition and pointed out that the power of attorney holder of the respondent finds it extremely difficult to go out to Pathanamthitta to attend the case as he is advanced in age. He also pointed out that both parties will not suffer if the case is transferred to Family Court, Thiruvalla.

5. When the above suggestion was put to the learned counsel for the petitioner, the petitioner's counsel says that, that does not help the petitioner much and she has to travel again for a considerable distance.

6. Considering the inconvenience felt by the petitioner and also the fact that the respondent is represented by a power of attorney holder and also considering the fact that frequent personal appearance of the respondent may not be necessary, it is felt that the prayer for transfer made by the petitioner seems to be justifiable.

7. This petition is allowed and O.P.(HMA)No. 491/2014 pending before Family Court, Mavelikkara shall stand transferred to Family Court, Pathanamthitta.

The parties shall appear before the Family Court, Pathanamthitta on **06.03.2015**.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge