

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 21ST DAY OF JULY 2015/30TH ASHADHA, 1937

Tr.P(C).No. 456 of 2014

OP 750/2014 OF FAMILY COURT, KOLLAM

PETITIONER(S):

**R. SARI,
D/O.RAVEENDRAN, SANTHA NIVAS, MARKET ROAD,
ATTINGAL.**

**BY ADVS.SRI.M.R.ANANDAKUTTAN
SMT.M.A.ZOHRA
SRI.MAHESH ANANDAKUTTAN**

RESPONDENT(S):

**SANTHOSH KUMAR,
S/O.SIVADASAN PILLAI, GEETHANJALI HOUSE, MEENATH CHERY,
KAVANADU P.O., KOLLAM - 691 003.**

**BY ADVS. DR.K.P.SATHEESAN (SR.)
SRI.P.MOHANDAS (ERNAKULAM)
SRI.ANOOP.V.NAIR
SRI.S.VIBHEESHANAN**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 21-07-2015, ALONG WITH TPC. 457/2014 & TPC. 515/2014, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Tr.P(C).No. 456 of 2014

APPENDIX

PETITIONERS' ANNEXURES

**ANNEXURE 1: TRUE COPY OF THE OP.NO.750/2014 BEFORE THE FAMILY COURT,
KOLLAM.**

RESPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

B.KEMAL PASHA, J.

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Tr.P.(C)Nos.456, 457 & 515 of 2014

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Dated this the 21st day of July, 2015

ORDER

Tr.P.(C) Nos.456 and 457 of 2014 are filed by the wife seeking the transfer of O.P.No.750 of 2014 as well as O.P.(G & W)No.814 of 2014 of the Family Court, Kollam, to the Family Court, Attingal. Tr.P.(C).No.515 of 2014 is filed by the husband seeking transfer of O.P.No.768 of 2014 pending before the Family Court, Attingal to the Family Court, Kollam. O.P.No.750 of 2014 is filed by the husband seeking recovery of properties from the wife. O.P.(G&W)No.814 of 2014 is filed by the husband seeking custody of the two minor children. Presently, the minor children are in the care and custody of the wife at Attingal. Both the children are studying in the school at Attingal.

2. The husband seeks the transfer of O.P.No.768 of 2014 pending before the Family Court, Attingal to the Family Court, Kollam. The said O.P. is filed by the wife seeking divorce.

3. Heard the learned counsel for the wife and the learned counsel for the husband.

4. When the minors are residing with the wife within the jurisdiction of the Family Court, Attingal, it is just and convenient in the interest of justice to transfer O.P.(G&W) No.814 of 2014 of the Family Court, Kollam, to the Family Court, Attingal. Similarly, when the wife is residing with her two minor children within the jurisdiction of the Family Court, Attingal, it is just and convenient in the interest of justice to transfer O.P.No.750 of 2014 pending before the Family Court, Kollam, to the Family Court, Attingal. Matters being so, Tr.P.(C)Nos.456 and 457 of 2014 are only to be allowed. Tr.P.(C)No.515 of 2014 does not deserve merits and is liable to be dismissed.

In the result, Tr.P.(C)Nos.456 and 457 of 2014 are

allowed, and Tr.P.(C)No.515 of 2014 is dismissed.
O.P.No.750 of 2014 of the Family Court, Kollam and O.P.(G
&W)No.814 of 2014 of the Family Court, Kollam are
transferred to the Family Court, Attingal.

Sd/-
B.KEMAL PASHA
JUDGE

DSV/21/7/15