

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

TUESDAY, THE 26TH DAY OF MAY 2015/5TH JYAISHTA, 1937

Tr.P(C).No. 525 of 2014 ()

FOR TRANSFER OF OP 1319/2014 of FAMILY COURT,ERNAKULAM

PETITIONERS:

1. VIJAYAMMA K.K., AGED 67 YEARS,
W/O.MADHUSUDANAN, KARIPPAYIL HOUSE,
KURUPPAMKULANGARA P.O., CHERTHALA-688551.

2. MADHUSUDANAN, AGED 75 YEARS,
S/O.KUMARAN, KARIPPAYIL HOUSE, KURUPPAMKULANGARA P.O.,
CHERTHALA-688551.

BY ADV. SMT.P.RANI DIOTHIMA

RESPONDENTS:

1. NIMI MANOHARAN, AGED 34 YEARS,
D/O.MANOHARAN, KRISHNAKRIPA, 20,
LOUIS GARDENS, S.KALAMASSERY, K.D.PLOT P.O.-683104,
ERNAKULAM DISTRICT.

2. SUJITH K.M.,AGED 38 YEARS,
S/O.MADHUSUDANAN, KARIPPAYIL HOUSE,
KURUPPAMKULANGARA P.O., CHERTHALA-688551.

R1 BY ADVS. SRI.P.VIJAYAKUMAR
SRI.C.R.REGHUNATHAN
SRI.M.V.ASHIM
SRI.R.BALAKRISHNAN
SRI.B.HARRYLAL

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY
HEARD ON 26-05-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

Tr.P(C).No. 525 of 2014 ()

APPENDIX

PETITIONERS' EXHIBITS :

P1 COPY OF O.P.1319/2014 OF THE FAMILY COURT, ERNAKULAM
DATED 07.07.2014.

RESPONDENTS' EXHIBITS :

NIL

// True Copy //

P.A. To Judge

DSV/28/5/15

B.KEMAL PASHA, J.

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Tr.P.(C). No.525 of 2014

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Dated this the 26th day of May, 2015

ORDER

Petitioners are the 2nd and 3rd respondents in O.P.No.1319 of 2014 of the Family Court, Ernakulam. The 1st respondent in the Original Petition is the husband of the 1st respondent herein. He is impleaded as the 2nd respondent herein.

2. The Original Petition is one for the recovery of 89 ½ sovereigns of gold ornaments etc. The 1st respondent herein, who is the petitioner in the Original Petition, is the daughter-in-law of the petitioners. According to the petitioners, they are senior citizens and they are not able to travel from Cherthala to Ernakulam. Further, it is alleged that when the 2nd respondent herein had appeared at the premises of the Family Court, Ernakulam for attending the cases between him and the 1st respondent herein, he was attempted to be attacked and a false case has been foisted

against him at the instance of the 1st respondent herein.

3. The aforesaid reasons mentioned in paragraph 4 of the petition are not sufficient grounds for attracting the transfer of the case. Considering the facts and circumstances of the case, I do not think that there are sufficient grounds enabling a transfer of the case from the Family Court, Ernakulam to any other court and therefore, the request is only to be turned down and I am doing so.

In the result, this Transfer Petition (Civil) is dismissed.

B.KEMAL PASHA
JUDGE

Tr.P.(C).No.525 of 2014

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