

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 6TH DAY OF JANUARY 2015/16TH POUSHA, 19361

Tr.P(C).No. 537 of 2014

O.P.NO. 337/2014 OF FAMILY COURT, KASARAGOD TO THE FAMILY COURT KANNUR

PETITIONER(S) :

**NISHA A., AGED 31 YEARS,
D/O.RAGAHAVAN A.P., ANCHAMPURA HOUSE, KOTTILA P.O.,
EZHOME VIA., KANNUR DISTRICT - 670 334.**

**BY ADVS.SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH**

RESPONDENT(S):

**MANIKANDAN.K.,, AGED 40 YEARS,
S/O.MADHAVAN K., RESIDING AT KAPPATHIKKAL HOUSE,
KANHIRADUKKAM P.O., (VIA) ANADHASRAMAM, PERIYA VILLAGE,
HOSDURG TALUK, KASARGODE DISTRICT - 671 312.**

**BY ADVS. SRI.T.K.VPINDAS
SRI.K.V.SREE VINAYAKAN
SRI.K.M.MUHAMMED HUSSAIN**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 06-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

Msd.

Tr.P(C).No. 537 of 2014

APPENDIX

PETITIONER(S)' ANNEXURES :

**ANNEXURE A1: THE TRUE PHOTOSTAT COPY OF THE M.C. 368/2014
 DATED 05.09.2014 ON THE FILE OF FAMILY COURT KANNUR.**

**ANNEXURE A2: THE TRUE PHOTOSTAT COPY OF THE O.P.NO.337/2014
 DATED 25.08.2014 BEFORE THE FAMILY COURT KASARAGOD.**

RESPONDENT(S)' ANNEXURES :

NIL

//TRUE COPY//

P.S.TO JUDGE.

Msd.

P. BHAVADASAN, J.

Tr.P.(C). No. 537 of 2014

Dated this the 6th day of January, 2015.

ORDER

This is a petition filed under Section 24 of the Code of Civil Procedure seeking transfer of O.P. 337 of 2014 from Family Court, Kasaragod to Family Court, Kannur.

2. Suffice to say, the marital relationship between the petitioner and the respondent ran into rough weather and litigations began. The petitioner filed M.C. 368 of 2014 before Family Court, Kannur. The respondent did not lag behind. He resorted to file O.P. 337 of 2014 before Family Court, Kasaragod.

3. The petitioner points out that she is a permanent resident of Kannur and she finds it extremely difficult to go over to Kasaragod to attend the court on all posting dates. According to her, she has an infant child to take care of and there is nobody to accompany her and she is in financial

difficulties. Therefore, she seeks transfer of the case to Family Court, Ernakulam.

4. The petition is strongly opposed by the respondent by pointing out that no satisfactory reason has been urged.

5. The fact remains that in the M.C. proceedings initiated by the petitioner before Family Court, Kannur, the respondent will have to go over to Kannur attend the case. If that be so, there is no reason as to why O.P. 337 of 2014 pending before Family Court, Kasaragod shall not be transferred to Family Court, Kannur more so, keeping in view the difficulties faced by the petitioner.

For the above reasons, this petition is allowed, and O.P. 337 of 2014 pending before the Family Court, Kasaragod shall stand transferred to Family Court, Kannur.

P. BHAVADASAN,
JUDGE

sb.