

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. 551 of 2014 ()

(TO TRANSFER OP(GW).NO. 833/2013 OF FAMILY COURT, KOLLAM TO THE FAMILY COURT, PALA)

PETITIONER(S):

- 1. MRS.SARANYA.N, AGED 28 YEARS,
D/O.MR.G.N.NAMBOOTHIRI,
RESIDING AT ENNAKKAPPALLIL ILLOM,
VALAVOOR TALUK,KOTTAYAM DISTRICT-686 635.**
- 2. DEVI NANDINI (MINOR), AGED 3 YEARS,
REPRESENTED BY MOTHER AND NATURAL GUARDIAN,
THE 1ST PETITIONER MRS.SARANYA N., AGED 28 YEARS,
D/O.MR.G.N.NAMBOOTHIRI,
RESIDING AT ENNAKKAPPALLIL ILLOM, VALAVOOR TALUK,
KOTTAYAM DISTRICT-686 635.**

BY ADV. SMT.ARCHANA NARAYANAN

RESPONDENT :

**MR.MAHESH.S, AGED 32 YEARS,
S/O.MR.SANKARANARAYANA SARMA,
RESIDING AT KUNTHIRIKALATHU MADOM,
KALLUMTHAZHOM P.O., KILIKOLLOOR VILLAGE,
KOLLAM TALUK, KOLLAM DISTRICT, PIN-691 004.**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12-02-2015,ALONG WITH TPC.NO.554 OF 2014, THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

sts

TPC.NO.551/2014

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEX 1 COPY OF THE PETITION FILED BY THE RESPONDENT SEEKING
CUSTODY OF THE 2ND PETITIONER, MINOR GIRL, O.P.(G/W)833/13
PENDING BEFORE GHE HON'BLE FAMILY COURT, KOLLAM.**

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.BHAVADASAN, J.

Tr.P.(C) Nos. 551 & 554 of 2014

Dated this the 12th day of February, 2015

ORDER

Since common issue arises for consideration, these petitions can be disposed of by a common order.

2. These are the petitions filed under Section 24 of C.P.C. seeking transfer of two O.P.s namely O.P.(G/W) No.833/2013 and O.P.(HMA)No. 834/2013 pending before the Family Court, Kollam to Family Court, Pala.

3. Suffice to say that the marital relationship between the first petitioner and the respondent ran into rough weather and that gave rise to the litigations. The petitioner has instituted M.C. proceedings as well as O.P. (HMA)No.120/2014 before the Family Court, Pala. It is contended that as a retaliatory measure the respondent has instituted O.P.(G/W)No.833/2013 and O.P.(HMA)No. 834/2013 before the Family Court, Kollam.

4. The first petitioner points out that she finds it extremely difficult to go out to Kollam to attend the case and she has nobody to accompany her. She further points out that since two other petitions are already pending before the Family Court, Pala, it is only appropriate that all the matters be tried by the same court to avoid conflict of decision.

5. Notice was served on the respondent but there is no appearance on his behalf.

In the light of the fact that no objection is seen filed for transfer, these petitions are allowed and O.P.(G/W) No.833/2013 and O.P.(HMA)No. 834/2013 pending before the Family Court, Kollam shall stand transferred to Family Court, Pala.

Sd/-
P.BHAVADASAN
JUDGE

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//True copy//

P.A. to Judge