

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 3RD DAY OF JUNE 2015/13TH JYAISHTA, 1937

Tr.P(C).No. 561 of 2014 ()

OP.NO. 398/2013 OF FAMILY COURT, THIRUVALLA

PETITIONER/PETITIONER :

NEETHU SUSAN ABRAHAM, AGED 31 YEARS
D/O. ABRAHAM SIMON, KOCHUVEETIL HOUSE,
KADAVANTHRA, COCHIN
REPRESENTED BY HER FATHER AND POWER OF ATTORNEY HOLDER
ABRAHAM PHILOPOSE SIMON, KOCHUVEETIL HOUSE
KADAVANTHRA, COCHIN.

BY ADVS.SRI.GEORGE SEBASTIAN
SRI.JOHNSON K. KURIAN

RESPONDENTS/RESPONDENTS :

1. JERIN JACOB MATHEW
S/O. JACOB MATHEW, MULAKALAYATHU HOUSE, AZHOOR
MAKKAMKUNNU P.O., PATHANAMTHITTA-686645. (*CORRECTED)

*CORRECTED AS

*JERIN JACOB MATHEW
S/O. JACOB MATHEW, MULAKALAYATHU HOUSE, AZHOOR
MAKKAMKUNNU P.O., PATHANAMTHITTA-686645
REPRESENTED BY HIS FATHER AND POWER OF ATTORNEY HOLDER
JACOB MATHEW, MULAKALAYATHU HOUSE, AZHOOR
MAKKAMKUNNU P.O., PATHANAMTHITTA.

*ADDRESS OF THE 1ST RESPONDENT IS CORRECTED AS PER ORDER IN IA
NO. 134/2015 DATED 20/01/2015.

2. JACOB MATHEW
MULAKALAYATHU HOUSE, AZHOOR, MAKKAMKUNNU P.O.
PATHANAMTHITTA-686645.

...2/-

3. MALLIKA JACOB

**W/O. JACOB MATHEW, MULAKALAYATHU HOUSE, AZHOOR
MAKKAMKUNNU P.O., PATHANAMTHITTA-686645.**

R1 TO R3 BY ADV. SRI. V. PHILIP MATHEW

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 03-06-2015, ALONG WITH Tr.P(C).No. 83/2015, THE COURT ON THE SAME
DAY PASSED THE FOLLOWING:**

Mn

...3/-

APPENDIX

PETITIONERS' ANNEXURES :

ANNEXURE A : COPY OF OP NO. 398/2013 PENDING BEFORE THE FAMILY COURT, THIRUVALLA.

ANNEXURE B COPY OF THE ECHOCARDIOGRAM REPORT OF THE POWER OF ATTORNEY HOLDER OF THE PETITIONER DATED 29.8.2014.

ANNEXURE C COPY OF THE DISCHARGE CERTIFICATE DATED 29.8.2014 ISSUED FROM MEDICAL TRUST HOSPITAL, ERNAKULAM.

ANNEXURE D COPY OF THE POWER OF ATTORNEY DATED 31.10.2013 EXECUTED BY THE 1ST RESPONDENT IN FAVOUR OF THE 2ND RESPONDENT.

RESPONDENT'S ANNEXURES : NIL

//TRUE COPY//

P.A. TO JUDGE

Mn

B. KEMAL PASHA, J.

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Tr.P.(C) Nos.561 of 2014 & 83 of 2015
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Dated this the 3rd day of June, 2015

ORDER

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Petitioner in O.P.No.398/2013 of the Family Court, Thiruvalla has come up with the request to get the OP transferred to the Family Court, Ernakulam. According to the petitioner, she is presently working abroad in Australia and when she is coming over here, she would be residing at Kadavanthra and in such case, it is not easy for her to travel all the way from Ernakulam to Thiruvalla to attend the case. The respondents in the said OP has filed Tr.P.(C) No.83/2015 requesting for a transfer of the said OP from the Family Court, Thiruvalla to the Family Court, Pathanamthitta. According to the petitioners in Tr.P.(C) No.83/2015, they are aged and their son is presently in Australia. According to the petitioners, they are aged and they find it difficult to travel from Pathanamthitta to

Thiruvalla. As far as Tr.P.(C) No.83/2015 is concerned, I do not find any necessity to transfer the matter from the Family Court, Thiruvalla to the Family Court, Pathanamthitta as the distance between these two places is around 30 Kms. only. The petitioner in Tr.P.(C) No.561/2014 is also not in station. It seems that she expects that she would be residing at Kadavanthara on her arrival from Australia. Let the parties come and move once again. Presently, I do not find any reason to transfer O.P.No.398/2013. Therefore, both the transfer petitions can be dismissed and in case any necessity arises in future, the petitioners can move this Court once again.

Both the Transfer Petitions are dismissed.

Sd/-
(B.KEMAL PASHA, JUDGE)

aks/03/06

// True Copy //

PA to Judge