

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

MONDAY, THE 2ND DAY OF MARCH 2015/11TH PHALGUNA, 1936

Tr.P(C).No. 583 of 2014

(TO TRANSFER OP 454/2014 FROM FAMILY COURT, CHAVARA TO FAMILY
COURT, MAVELIKKARA)

PETITIONER/RESPONDENT:

SURYAMOL, AGED 24 YEARS
D/O SUDHA, KALLUKUZHYIL, PONNARATHOTTAM
MAVELIKKARA P.O.

BY ADVS.SRI.RINNY STEPHEN CHAMAPARAMPIL
SMT.ASHA ELIZABETH MATHEW
SRI.K.SURESH KUMAR (KURATHIKADU)

RESPONDENT/PETITIONER:

VIJILAL, AGED 30 YEARS
VIJAYABHAVANAM, MARU SOUTH,
AYANIVELIKULANGARA VILLAGE, ALUMKADAVU P.O.
KARUNAGAPALLY-690192.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 02-03-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.BHAVADASAN, J.

Transfer Petition (Civil) No.583 OF 2014

Dated this the 2nd day of March, 2015.

O R D E R

This is a petition filed under Section 24 of the Code of Civil Procedure seeking to have O.P.(HMA) No.454/2014 pending before Family Court, Chavara transferred to Family Court, Mavelikkara.

2. Suffice to say that, the marital relationship between the petitioner and the respondent ran into rough weather and both instituted proceedings before courts concerned. The couple have a female child in the wedlock and the child is currently 10 months old. The petitioner instituted O.P.No.646/2014 before Family Court, Mavelikara for divorce and it is stated that thereafter, as a retaliatory measure, respondent instituted O.P (HMA) No.454/2014 before Family Court, Chavara. The petitioner has also instituted M.C.No.83/2014 before Family Court, Mavelikkara.

3. The petitioner says that she is a resident of Mavelikkara and it is difficult for her to go over to Family Court, Chavara to

attend the case. She also points out that she has a female child to look after and she is in financial difficulties and that there is nobody to accompany her to go to Family Court, Chavara. Her further claim is that as there are already two matters pending before Family Court, Mavelikkara, it is only proper that the matter pending before Family Court, Chavara be transferred to Family Court, Mavelikkara so that the same court can hear all the matters to avoid conflict of decisions.

4. Though notice was served on the respondent, there is no appearance for him.

For the above reasons, this petition is allowed and O.P.(HMA) No.454/2014 pending before Family Court, Chavara shall stand transferred to Family Court, Mavelikkara.

Sd/-

**P.BHAVADASAN
JUDGE**

smp

// True Copy //

P.A. To Judge.