

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 13TH DAY OF JANUARY 2015/23RD POUSHA, 1936

Tr.P(C).No. 621 of 2014 ()

OP.NO. 358/2014 OF FAMILY COURT, KASARAGOD

PETITIONER(S):

1. VEENA C.K., AGED 32 YEARS, D/O.REMA C.K.,
'KOLENGADA HOUSE', CHERUTHAZHAM P.O.,
MANDUR, PIN-670 501, KANNUR DISTRICT.
2. REMA C.K., AGED 51 YEARS,
W/O.K.KESAVANKUTTY, 'KOLENGADA HOUSE'
CHERUTHAZHAM P.O., MANDUR, PIN-670 501,
KANNUR DISTRICT.

BY ADVS.SRI.S.K.BALACHANDRAN
SRI.V.K.NANDAKUMARAN
SMT.N.D.DEEPA

RESPONDENT :

RAMAKRISHNAN P.K.,
S/O.KARICHERY LAKSHMI AMMA,
PUNDOOR HOUSE, P.O.NEKRAJE,
VIA MULLERIA, PIN-671 543, KASARAGOD DISTRICT.

BY ADVS.SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 13-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

sts

Tr.P(C).No. 621 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEX 1 COPY OF THE CRL.M.C.NO.6 OF 2014 WITH AFFIDAVIT ON THE FILE OF THE JUDICIAL FIRST CLASS MAGISTRATE COURT, PAYYANNUR.
- ANNEX II COPY OF THE O.P.NO.358/2014 ON THE FILE OF THE FAMILY COURT AT KASARAGOD.
- ANNEX III COPY OF THE CERTIFICATE DATED 9/5/2014 ISSUED BY THE INSTITUTE OF ARTS, SCIENCE & ENGINEERING (IASE) COLLEGE, OLD BUS STAND, PAYYANNU, KASARAGOD DISTRICT IN FAVOUR OF THE 1ST PETITIONER.

RESPONDENT'S ANNEXURES: NIL

/TRUE COPY/

P.A.TO.JUDGE

sts

P.BHAVADASAN, J.

Transfer Petition (Civil) No.621 OF 2014

Dated this the 13th day of January, 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.No.358/2014 pending before the Family Court, Kasaragod transferred to Family Court, Kannur.

2. Suffice to say that, the marital relationship between the 1st petitioner and the respondent ran into rough weather and litigations began. The 1st petitioner had filed Crl.M.C.No.6/2014 before the Judicial First Cass Magistrate Court, Payyannur under the Protection of Women from Domestic Violence Act and she awaits orders. In the meanwhile, the respondent is alleged to have filed O.P.No.358/2014 before the Family court, Kasaragod for necessary reliefs.

3. The 1st petitioner says that she is presently staying with her parents and she is undergoing a Fashion Designing course at Payyannur. She also points out that she finds it extremely difficult to come over to Kasaragod to attend the case. She

further points out that she is not financially sound and she has nobody to accompany her to go to Kasaragod. The petitioners therefore pray for transfer of the matter pending before the Family Court, Kasaragod to Family Court, Kannur.

4. Learned counsel appearing for the respondent opposed the petition and pointed out that mere distance may not be a ground for transfer. However, learned counsel suggested that if distance is a problem, a place having equal distance from the place of both the parties will be convenient for both of them to attend the court.

5. After having heard the learned counsel on both sides, it is felt that it will be only proper that in order to reduce the inconvenience caused to both the parties, a place in between the places of both parties will be chosen to conduct the case.

In the result, this petition is allowed. O.P.No.358/2014 pending before the Family Court, Kasaragod shall be taken at Family Court, Hosdurg from the next sitting date onwards.

Sd/-

P.BHAVADASAN
JUDGE

smp