

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

TUESDAY, THE 3RD DAY OF MARCH 2015/12TH PHALGUNA, 1936

Tr.P(C).No. 647 of 2014

OP 781/2014 of FAMILY COURT,KOZHIKODE

PETITIONER(S)/RESPONDENT IN OP.NO.781/2014 OF FAMILY COURT KOZHIKODE.:

**AMBILY S. VARRIER, AGED 26 YEARS
D/O.K.V.SUDERASSAN, ANANDHA BHAVAN,
THRISSILERY P.O.
KARTIKULAM, VIA.MANANTHAVADY,
WAYANAD DISTRICT-670646.**

BY ADV. SMT.TESSY JOSE

RESPONDENT(S)/PETITIONER IN OP.NO.781/2014 OF FAMILY COURT KOZHIKODE.:

**SREERAJ, AGED 35 YEARS
S/O.K.V.NARAYANANKUTTY,
NARAYANEEYAM, WEST HILL.P.O.
PUTHIYANGADI VILLAGE, KOZHIKODE-673005.**

BY ADV. SRI.G.SUDHEER

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

PJ

Tr.P(C).No. 647 of 2014

APPENDIX

PETITIONERS' ANNEXURES

- A1: COPY OF OP.781/2014 FILED BEFORE THE FAMILY COURT KOZHIKODE BY
THE RESPONDENT**
- A2: COPY OF THE SUMMONS DATED 16/10/2014 ISSUED BY THE FAMILY COURT,
KOZHIKODE.**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P. BHAVADASAN, J.

Tr.P.(C). No. 647 of 2014

Dated this the 3rd day of March, 2015.

ORDER

This is a petition filed under Section 24 of the Code of Civil Procedure to have O.P. 781 of 2014 pending before Family Court, Kozhikode transferred to Family Court, Kalpetta.

2. Suffice to say, the marital relationship between the petitioner and the respondent ran into rough weather and litigations began. The respondent filed O.A. 881 of 2011 before Family Court, Kozhikode for restitution of conjugal rights and there was a decree in his favour. When the petitioner went to stay with him, she was not allowed to enter into the house. Therefore, she could not comply with the decree. Thereafter she filed M.C. 96 of 2013 before Family Court, Kalpetta. As a retaliatory measure, the respondent has filed O.P. 781 of 2014 before Family Court, Kozhikode for divorce.

3. The petitioner says that she finds it extremely difficult to go over to Kozhikode to attend the court on all posting dates. It is also pointed out that she has to look after the child and that there is nobody to accompany her to Wayanad.

4. The respondent entered appearance and opposed the prayer by pointing out that the respondent has to spend a lot of money to go to Wayanad.

5. The reason given by the respondent cannot be sustained.

In the light of the above facts, this petition is allowed and O.P. 781 of 2014 pending before Family Court, Kozhikode shall stand transferred to Family Court, Kalpetta.

P. BHAVADASAN,
JUDGE

sb.