

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE B.KEMAL PASHA

WEDNESDAY, THE 1ST DAY OF JULY 2015/10TH ASHADHA, 1937

Tr.P(C).No. 699 of 2014

OP 923/2014 OF FAMILY COURT, KOZHIKODE

PETITIONER/RESPONDENT:

**SAREENA, AGED 34 YEARS,
D/O.SOOPY, PUZHAKKOTH VEEDU, PADINJARETHARA P.O,
PADINJARETHARA AMSOM, DESOM, VYTHIRI TALUK,
WAYANAD DISTRICT, PIN 673 575.**

BY ADV. SMT.CELINE JOSEPH

RESPONDENT/PETITIONER:

**SHAMEER, AGED 36 YEARS
S/O.IBRAHIM KUTTY, SHAMEER MANZIL, KORANGADU,
THAMARASSERRY P.O, RAROTH AMSOM DESOM,
THAMARASSERRY TALUK, PIN 673 573.**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 01-07-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

Tr.P(C).No. 699 OF 2014

APPENDIX

PETITIONERS' ANNEXURES

**ANNEXURE A1: COPY OF THE PETITION OP.923 OF 14 BEFORE THE FAMILY COURT
KOZHIKODE**

**ANNEXURE A2: COPY OF THE MC.75 OF 2014 BEFORE THE FAMILY COURT
KALPETTA, WAYANAD.**

RESPONDENTS' ANNEXURE

NIL.

/ TRUE COPY /

P.S TO JUDGE

PJ

B.KEMAL PASHA, J.

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Tr.P.(C).No.699 of 2014

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Dated this the 1st day of July, 2015

ORDER

Petitioner is seeking the transfer of O.P.No.923 of 2014 of the Family Court, Kozhikode to the Family Court Wayanad at Kalpetta. The said O.P. has been filed by the husband of the petitioner seeking restitution of conjugal rights. The petitioner has filed M.C.No.61 of 2014 before the Chief Judicial Magistrate's Court, Kalpetta against the respondent under the provisions of the Protection of Women from Domestic Violence Act. The petitioner has also filed M.C.No.75 of 2014 before the Family Court, Kalpetta

seeking maintenance to the petitioner and her child from the respondent. The petitioner is residing with her small child within the jurisdiction of the Family Court, Wayanad at Kalpetta. The petitioner finds it difficult to travel all the way from Kalpetta to Kozhikode to attend the case.

2. Notice has been served on the respondent. There is no representation for the respondent. Heard the learned counsel for the petitioner.

3. On hearing the learned counsel for the petitioner and on considering the facts and circumstances of the case, this court is satisfied that it is just and convenient in the interest of justice to effect the transfer as prayed for.

In the result, this Transfer Petition (Civil) is allowed and O.P.No.923 of 2014 of the Family Court, Kozhikode is transferred to the Family Court, Wayanad at Kalpetta.

Sd/-

B.KEMAL PASHA
JUDGE