

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.UBAID

WEDNESDAY, THE 21ST DAY OF JANUARY 2015/1ST MAGHA, 1936

Tr.P(Crl.).No. 64 of 2014

MC 206/2012 of FAMILY COURT, KOTTARAKKARA

PETITIONER(S)/RESPONDENT:

**SHAJEER, AGED 30 YEARS
S/O ABDUL MAJEED, SHARIFA MANZIL, NJARAYILKONAM
MADAVOOR VILLAGE, PALLICKAL.**

BY ADV. SRI.M.DINESH

RESPONDENT(S)/PETITIONER & STATE:

- 1. SAIMA,, AGED 23 YEARS
D/O RAFAEKA, MELEPUTHAN VEEDU, ELAMPAZHANNOOR (P.O)
CHADAYAMANGALAM, KADAKKAL VILLAGE 691534.**
- 2. THE STATE OF KERALA,
RERPESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM 682031.**

R2 BY PUBLIC PROSECUTOR SMT.S.HYMA

**THIS TRANSFER PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION
ON 21-01-2015, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

PJ

APPENDIX

PETITIONERS' ANNEXURES

- A1: COPY OF THE PLAINT IN OP.145/14 ON THE FILE OF THE FAMILY COURT, ATTINGAL.**
- A2: COPY OF THE PLAINT IN OP.646/14 OF THE FILE OF THE FAMILY COURT, ATTINGAL DATED 25/6/14**
- A3: COPY OF THE MC.206/12 ON THE FILE OF THE FAMILY COURT KOTTARAKKARA DTD.4/5/12**
- A4: COPY OF THE OBJECTION FILED BY THE PETITIONER MC.206/12 ON THE FILE OF THE FAMILY COURT, KOTTARAKKARA DATED 13/12/12**

RESPONDENTS' ANNEXURES

NIL.

/ TRUE COPY /

P.S. TO JUDGE

PJ

P. UBAID, J.

Tr.P.(Crl) No.64 of 2014

Dated this the 21st day of January, 2015

O R D E R

The petitioner herein is the respondent in M.C.No.206/2012 of the Family Court, Kottarakkara, brought by his wife under Section 425 Cr.P.C. Another O.P. filed by her for recovery of ornaments etc., is now pending before the Family Court, Attingal as O.P.No.145/2015. The petitioner now seeks transfer of the maintenance claim from the Family Court, Kottarakkara to the Family Court, Attingal. The 1st respondent, wife remained absent in spite of notice. It appears that she does not have any objection. It is submitted that the distance between Attingal and Kadakkal is only 20 kms. The 1st respondent is a native of Kadakkal village. In fact, transfer cannot be objected, because another proceeding brought by the wife is now pending before the Family Court, Attingal. So, it is appropriate that both the cases be decided by the same court.

In the result, this petition is allowed. M.C. No.206/2012 of the Family Court, Kottarakkara will stand transferred to the

Family Court Attingal. The learned Trial Judge, Family Court, Kottarakkara will transmit the records of M.C.No.206/2012, to the Family Court, Attingal without delay.

Sd/-

P. UBAID, JUDGE

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