

**Bindulekha Vs. Jayaprakash**

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**SooperKanoon Citation :** [sooperkanoon.com/1017799](http://sooperkanoon.com/1017799)

**Court :** Kerala

**Decided On :** Jul-31-2013

**Judge :** Honourable Mr.Justice P.N.Ravindran

**Appellant :** Bindulekha

**Respondent :** Jayaprakash

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM PRESENT: THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN WEDNESDAY, THE 31ST DAY OF JULY 2013 9TH SRAVANA, 1935 Tr.P(C).No. 196 of 2013 () ----- (AGAINST THE ORDER/JUDGMENT IN OPHMA 541 2010 of FAMILY COURT, ALAPPUZHA ) PETITIONER(S)/COUNTER PETITIONER: ----- BINDULEKHA V.R, AGED 3 YEARS D/O.RADHA, BICHISSASSE BHAVAN, PUTHIYATHURA PULLUVILA P.O, THIRUVANANTHAPURAM BY ADV. SRI.SHAJIN S.HAMEED RESPONDENT(S)/PETITIONER: ----- JAYAPRAKASH, AGED 4 YEARS S/O.SADANANDAN, VALIYANILATHU, ARYAD NORTH P.O ALAPPUZHA PIN CODE 68 542 THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 31-07-2013, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Tr.P.C.NO.196/2013 APPENDIX PETITIONER'S EXHIBITS: ANNEXURE 1 COPY OF THE PETITION FOR DIVORCE IN O.P. NO.541/2010 FILED BY THE RESPONDENT BEFORE THE FAMILY COURT, ALAPPUZHA. ANNEXURE-II: COPY OF THE PETITION M.C. NO.59/2013 FILED

BY THE PETITIONER BEFORE THE FAMILY COURT,  
THIRUVANANTHAPURAM. RESPONDENT'S EXHIBITS: NIL /TRUE COPY/ P.S.  
TO JUDGE. dpk P.N.RAVINDRAN, J.

----- Tr.P.(C).No.196 of 2013  
----- Dated this the 31st day of July, 2013

## ORDER

The petitioner is the wife of the respondent. The marriage between them was solemnized on 18.4.2008 at Vizhinjam. In that marriage a child now aged 3 years was born. Later disputes and differences arose and they are residing separately. The respondent has filed O.P.(HMA)No.541 of 2010 before the Family Court, Alappuzha for a decree for divorce dissolving the marriage between him and the petitioner. The petitioner has filed M.C.No.59 of 2013 before the Family Court, Thiruvananthapuram under section 125 of the Code of Criminal Procedure seeking maintenance for herself and the minor child. In this transfer petition the petitioner prays for transfer of O.P.(HMA)No.541 of 2010 from Family Court, Alappuzha to Family Court, Thiruvananthapuram.

2. The petitioner has averred that O.P.(HMA)No.541 of 2010 was filed at a point of time when she was residing with the respondent, that later she was thrown out of the matrimonial home and she is presently residing with her aged parents at Thiruvananthapuram and in such circumstances if she were to Tr.P(C)No.196/2013 :-2:- travel to Alappuzha on every posting date to appear before the Family Court, she will be put to serious inconvenience.

3. Though the respondent had been served he has not entered appearance and filed objections. In such circumstances accepting the uncontroverted avements in the transfer petition I allow the transfer petition and transfer O.P.(HMA)No.541 of 2010 from Family Court, Alappuzha to Family Court, Thiruvananthapuram for trial and disposal. P.N.RAVINDRAN, Judge. ahg. P.N.RAVINDRAN, J.

----- Tr.P.(C).No.196 of 2013 -----

## ORDER

31st July, 2013

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