

Sreeja E vs Govindankutty R

Sreeja E vs Govindankutty R

SooperKanoon Citation : sooperkanoon.com/1291814

Court : Kerala

Decided On : Mar-27-2024

Judge : Honourable Dr. Justice Kauser Edappagath

Appeal No. : Tr.P(C)/212/2023

Appellant : Sreeja E

Respondent : Govindankutty R

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA,
1946 TR.P(C) NO. 212 OF 2023 AGAINST THE ORDER/JUDGMENT
DATED IN OP NO.481 OF 2021 OF FAMILY COURT, THODUPUZHA
PETITIONER/PETITIONER IN OP 481/2022: SREEJA E AGED 47
YEARS, D/O LATE T S IRAVI PILLAI ,THENGUMTHOTTATHIL HOUSE
, MANAKKADU P O,MANAKKADU VILLAGE , THODUPUZHA TALUK,
IDUKKI DISTRICT, PIN - 685584 P.CHANDY JOSEPH
C.K.VIDYASAGAR RESPONDENTS/RESPONDENTS IN OP 481/2022:
1 GOVINDANKUTTY R AGED 52 YEARS, S/O LATE K.G.
RAVEENDRAN NAIR, RESIDING AT T.C. 7/45 (15), KULAPPURATHU,

19, RIVER VALLEY, KANJIRAPARA P.O. THIRUVANANTHAPURAM.,
PIN - 695030 2 PADMAKUMARI AGED 81 YEARS, W/O LATE K.G.
RAVEENDRAN NAIR, RESIDING AT T..C. 7/45 (15), KULAPPURATHU,
19, RIVER VALLEY, KANJIRAPARA P.O. THIRUVANANTHAPURAM.,
PIN - 695030 GOPIKRISHNAN NAMBIAR M K.JOHN
MATHAI(K/413/1984) JOSON MANAVALAN(J-526) KURYAN
THOMAS(K/131/2003) PAULOSE C. ABRAHAM(MAH/58/2006) RAJA
KANNAN(K/356/2008) R.CHETHAN KRISHNA(K/646/2013) THIS
TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27.03.2024, ALONG WITH Tr.P(C).314/2023, THE COURT ON THE
SAME DAY DELIVERED THE FOLLOWING: ..2..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH
WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA,
1946 TR.P(C) NO. 314 OF 2023 AGAINST THE ORDER/JUDGMENT
DATED IN OP NO.481 OF 2022 OF FAMILY COURT, THODUPUZHA
PETITIONER/2ND RESPONDENT IN O.P.NO.481/2022:
PADMAKUMARI AGED 79 YEARS, W/O. LATE K.G. RAVEENDRAN
NAIR, RESIDING AT T.C. 7/45(15), KULAPPURATHU, 19, RIVER
VALLEY, KANJIRAMPARA P.O., THIRUVANANTHAPURAM, PIN -
695030 M.GOPIKRISHNAN NAMBIAR R.CHETHAN KRISHNA K.JOHN
MATHAI JOSON MANAVALAN KURYAN THOMAS RAJA KANNAN
PAULOSE C. ABRAHAM RESPONDENTS/PETITIONER AND 1ST
RESPONDENT IN OP.481/2022: 1 SEEJA E AGED 45 YEARS D/O.
T.S. ERAVI PILLAI, RESIDING AT THENGUMTHOTTATHI HOUSE,
MANACAUD P.O., THODUPUZHA, PIN - 685584 2 GOVINDANKUTTY
R AGED 50 YEARS S/O. THE LATE K.G. RAVEENDRAN NAIR, AGED
50 YEARS, RESIDING AT T.C. 7/45(15), KULAPPURATHU, 19, RIVER
VALLEY, KANJIRAMPARA P.O., THIRUVANANTHAPURAM, PIN -
695030 P CHANDY JOSEPH C.K.VIDYASAGAR(V-207) THIS
TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27.03.2024, ALONG WITH Tr.P(C).212/2023, THE COURT ON THE

SAME DAY DELIVERED THE FOLLOWING: ..3..

ORDER

Both these transfer petitions are connected.

2. O.P.No.481/2021 has been filed by the wife against the

husband and his mother for realisation of money before the Family Court, Thodupuzha. O.P.No.2385/2021 has been filed by the husband against the wife before the Family Court, Thiruvananthapuram for divorce.

3. Transfer Petition No.212/2023 has been filed to transfer

O.P.No.2385/2021 to the Family Court, Thodupuzha. Transfer Petition No.314/2023 has been filed to transfer O.P.No.481/2022 to the Family Court, Thiruvananthapuram.

4. The husband is employed at abroad. The mother of the

husband is now residing at Thiruvananthapuram. The wife is residing at Thodupuzha. Since both cases are connected and between the same parties, it is just and proper that both cases are tried and disposed of by the very same Court. The medical certificate produced by the mother of the husband would show that she is aged 80 years and suffering from various ailments, whereas, the wife is aged 45 years. ..4.. Considering all these facts and circumstances, Transfer Petition No.314/2023 is allowed by transferring O.P.No.481/2022 pending on the file of Family Court, Thodupuzha to the Family Court, Thiruvananthapuram. Tr.P.(C) No.212/2023 is dismissed. Sd/- DR. KAUSER EDAPPAGATH JUDGE APA ..5.. APPENDIX OF TR.P(C) 212/2023 PETITIONER ANNEXURES ANNEXURE A1 TRUE COPY OF THE ORIGINAL PETITION

NO.2385/2021 FILED BY THE 1ST RESPONDENT BEFORE THE FAMILY COURT, THIRUVANANTHAPURAM DATED 21.10.2021

ANNEXURE A2 TRUE COPY OF THE ORIGINAL PETITION NO.481/2022 FILED BY THE PETITIONER BEFORE THE FAMILY COURT, THODUPUZHA DATED

22.01.2022 RESPONDENT ANNEXURES ANNEXURE-R2(A) TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR. K. ASHOKAN TO THE 2ND RESPONDENT DATED 09.03.2023 ..6.. APPENDIX OF TR.P(C) 314/2023 PETITIONER ANNEXURES ANNEXUREA1 TRUE COPY OF THE ORIGINAL PETITION NO. DISSOLUTION OF MARRIAGE ON 21.10.2021, BEFORE THE FAMILY COURT, THIRUVANANTHAPURAM ANNEXURE A2 TRUE COPY OF THE ORIGINAL PETITION NO. RECOVERY OF GOLD ORNAMENTS AND MONEY, DATED 22.10.2022, BEFORE THE FAMILY COURT, THODUPUZHA ANNEXURE A3 TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR. K. ASHOKAN TO THE PETITIONER, DATED 09.03.2023

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com