

Bindu vs Sabu P.B.

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Court : Kerala

Decided On : Oct-31-2023

Judge : Honourable Mr.Justice C. Jayachandran

Appeal No. : Tr.P(C)/626/2023

Appellant : BINDU

Respondent : Sabu P.B.

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE C. JAYACHANDRAN
TUESDAY, THE 31ST DAY OF OCTOBER 2023 / 9TH KARTHIKA,
1945 TR.P(C) NO. 626 OF 2023 AGAINST OPHMA.No. 1460/2019 OF
FAMILY COURT, KOTTAYAM PETITIONER/RESPONDENT IN OP:
BINDU AGED 43 YEARS D/O. LATE V. SOMAN, RESIDING AT
MULAYATHU HOUSE, CLAPPANA P.O., CLAPPANA SOUTH
VILLAGE, KARUNAGAPPALLY TALUK, KOLLAM, PIN - 690456 BY
ADVS. O.A.NURIYA REVATHY P. MANOHARAN ANAND B. MENON
RESPONDENT/PETITIONER IN OP: SABU P.B. AGED 47 YEARS S/O.
BABU, KAROTTU KUTTIKATTU HOUSE, MOOLAVATTOM P.O.,
KOTTAYAM - 686012. THIS TRANSFER PETITION (CIVIL) HAVING

COME UP FOR ADMISSION ON 31.10.2023, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: ..2..

ORDER

Dated this the 31st day of October, 2023 This transfer petition is preferred by the petitioner/wife, seeking transfer of OP(HMA)No.1460/2019 from the the Family court, Ettumanoor to Family Court, Chavara. Transfer is sought for on the ground of convenience of the wife. Although, notice was served upon the respondent, there is no appearance for him today.

2. In view of the authoritative pronouncement of

the Hon'ble Supreme Court in Sumita Singh v. Kumar Sanjay & another [(2001) 10 SCC 41], the convenience of the wife is certainly a matter to be taken into consideration while fixing the forum in respect of matrimonial disputes.

3. In these circumstances, this Transfer Petition

is allowed directing transfer of O.P. ..3.. (HMA)No.1460/2019 pending before the Family Court, Ettumanoor, to the Family Court, Chavara. The transferor Court shall transmit all the records to the transferee Court, forthwith. Sd/- C. JAYACHANDRAN JUDGE TR ..4.. APPENDIX OF TR.P(C) 626/2023 PETITIONER ANNEXURES Annexure A1 A TRUE COPY OF O.P (HMA) NO. 1460 OF 2019 ON THE FILES OF FAMILY COURT, ETTUMANOOR DATED NIL

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