

**Sibi Thomas vs Viji Babu @ Viji Sibi Thomas**

**Sibi Thomas vs Viji Babu @ Viji Sibi Thomas**

**SooperKanoon Citation :** [sooperkanoon.com/1404708](http://sooperkanoon.com/1404708)

**Court :** Kerala

**Decided On :** May-25-2023

**Judge :** Honourable Mr. Justice P.Somarajan

**Appeal No. :** Tr.P(C)/769/2022

**Appellant :** Sibi Thomas

**Respondent :** Viji Babu @ Viji Sibi Thomas

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN  
THURSDAY, THE 25th DAY OF MAY 2023 / 4TH JYAISHTA, 1945  
TR.P(C) NO. 763 OF 2022 IN OP 1827/2021 OF FAMILY COURT,  
KOLLAM PETITIONER/RESPONDENT: SIBI THOMAS, AGED 34  
YEARS, S/o JOHN THOMAS, KEEPPALLIL HOUSE, KUDASSANADU.  
P.O., ALAPPUZHA, REPRESENTED BY HIS P.A HOLDER JOHN  
THOMAS, AGED 67 YEARS, S/o THOMAS, KEEPPALLIL HOUSE,  
KUDASAANADU P.O, ALAPPUZHA DISTRICT - 689 512 BY ADVS.  
MANU RAMACHANDRAN M.KIRANLAL R.RAJESH (VARKALA)  
SAMEER M NAIR GEETHU KRISHNAN SAILAKSHMI MENON  
DHANALAKSHMI V.K. RESPONDENT/PETITIONER: VIJI BABU @ VIJI  
SIBI THOMAS, AGED 33 YEARS, D/o SAMUEL BABU,

THENGUVILAYIL VIJAY BHAVAN, MYLAMKULAM, PUTHOOR P.O,  
KOTTARAKKARA, KOLLAM & NOW ESI ROAD, ASRAMAM, KOLLAM  
REPRESENTED BY P.A HOLDER SAMUEL BABU, AGED 68 YEARS,  
S/o LATE N. SAMUEL, ESI ROAD, ASRAMAM, KOLLAM - 691002

BY ADVS. PREMJIITH MENON S K SONIYA.M BINU V V VEETTIL VALAPPIL  
MANEKSHA D. P.J.STEPHEN THIS TRANSFER PETITION (CIVIL) HAVING  
COME UP FOR HEARING ON 25.05.2023 ALONG WITH TR.P(C) 769/2022, THE  
COURT ON THE SAME DAY PASSED THE FOLLOWING: Tr.P(C) Nos.763 &  
769 of 2022 2

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE P.SOMARAJAN THURSDAY,  
THE 25th DAY OF MAY 2023 / 4TH JYASHTA, 1945 TR.P(C) NO. 769 OF 2022  
OP 1669/2021 OF FAMILY COURT, KOLLAM PETITIONERS/RESPONDENTS 1  
& 2: 1 SIBI THOMAS, AGED 34 YEARS, S/o JOHN THOMAS, KEEPPALLIL  
HOUSE, KUDASSANADU. P.O., ALAPPUZHA, REPRESENTED BY HIS P.A  
HOLDER JOHN THOMAS, AGED 67 YEARS, S/o THOMAS, KEEPPALLIL  
HOUSE, KUDASAANADU P.O, ALAPPUZHA DISTRICT - 689512 2 JOHN  
THOMAS, AGED 67 YEARS, S/o THOMAS, KEEPPALLIL HOUSE,  
KUDASAANADU P.O, ALAPPUZHA DISTRICT - 689512 BY ADVS. MANU  
RAMACHANDRAN M.KIRANLAL R.RAJESH (VARKALA) SAMEER M NAIR  
GEETHU KRISHNAN SAILAKSHMI MENON DHANALAKSHMI V.K.  
RESPONDENTS/PETITIONER & RESPONDENT No.3: 1 VIJI BABU @ VIJI SIBI  
THOMAS, AGED 33 YEARS, D/o SAMUEL BABU, THENGUVILAYIL VIJAY  
BHAVAN, MYLAMKULAM, PUTHOOR P.O, KOTTARAKKARA, KOLLAM & NOW  
ESI ROAD, ASRAMAM, KOLLAM, REPRESENTED BY POWER OF ATTORNEY  
HOLDER SAMUEL BABU, AGED 68 YEARS, S/o LATE N. SAMUEL, ESI ROAD,  
ASRAMAM, KOLLAM - 691002 2 SHERIN THOMAS, AGED 31 YEARS, S/o  
JOHN THOMAS, KEEPPALLIL HOUSE, KUDASAANADU P.O, ALAPPUZHA  
DISTRICT - 689512 BY ADVS. PREMJIITH MENON S K SONIYA.M BINU V V  
VEETTIL VALAPPIL P.J.STEPHEN MANEKSHA D. THIS TRANSFER PETITION  
(CIVIL) HAVING COME UP FOR HEARING ON 25.05.2023 ALONG WITH

TR.P(c) 763/2022, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: Tr.P(C) Nos.763 & 769 of 2022 3

## **ORDER**

These are the two petitions submitted by the husband pertaining to the cases pending before the Family Court, Kollam as well as the Family Court, Mavelikara. Both the husband and wife are employed abroad and as such the cases were conducted through the respective power of attorney holders. No other special reason was brought to the notice of this court in order to have a transfer of cases. In fact, both the parties are standing on the same footing as they are employed abroad and conducting the cases through respective power of attorney holders. Petitions lacks merit and deserves only dismissal and I do so. Hence, both the transfer petitions are dismissed. Sd/- P.SOMARAJAN JUDGE DMR/- Tr.P(C) Nos.763 & 769 of 2022 4 APPENDIX OF TR.P(C) 763/2022 PETITIONER'S ANNEXURES Annexure A1 THE TRUE COPY OF THE O.P NO.1827/2021 ON THE FILES OF FAMILY COURT, KOLLAM SEEKING DISSOLUTION OF MARRIAGE FILED BY THE RESPONDENT-WIFE Annexure A2 THE TRUE COPY OF THE O.P(G&W) NO.80/2022 ON THE

FILES OF FAMILY COURT, MAVELIKARA SEEKING TO DECLARE THE RESPONDENT HEREIN AS THE LEGAL AND NATURAL GUARDIAN OF THE MINOR AND FOR PERMANENT CUSTODY

// TRUE COPY // P.A. TO JUDGE Tr.P(C) Nos.763 & 769 of 2022 5 APPENDIX OF TR.P(C) 769/2022 PETITIONERS' ANNEXURES Annexure A1 THE TRUE COPY OF THE O.P NO.1669/2021 ON THE FILES OF FAMILY COURT, KOLLAM SEEKING RETURN MONEY AND GOLD FILED BY THE 1ST RESPONDENT-WIFE Annexure A2 THE TRUE COPY OF THE O.P(G&W) NO.80/2022 ON THE

FILES OF FAMILY COURT, MAVELIKARA SEEKING TO DECLARE THE 1ST RESPONDENT HEREIN AS THE LEGAL AND NATURAL GUARDIAN OF THE MINOR AND FOR PERMANENT CUSTODY // TRUE COPY // P.A. TO JUDGE