

Sajitha T.V. vs Sunil Kumar

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Court : Kerala

Decided On : Aug-31-2021

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : Tr.P(C)/244/2021

Appellant : Sajitha T.V.

Respondent : Sunil Kumar

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN TUESDAY, THE 31ST DAY OF AUGUST 2021 / 9TH BHADRA, 1943 AGAINST THE ORDER/JUDGMENT IN OP 159/2020 OF FAMILY COURT, KASARAGOD PETITIONER/S/RESPONDENT: SAJITHA T.V. AGED 40 YEARS, D/O.K.P.PADMANABHAN NAMBIAR, KODAKKAL HOUSE, KOKKOD, KOROM VILLAGE, CHALAKKOD P.O., PAYYANUR TALUK, KANNUR DISTRICT. BY ADVS. M.V.AMARESAN SRI.S.S.ARAVIND RESPONDENT/S/PETITIONER: SUNIL KUMAR AGED 45 YEARS, S/O.RAGHAVA PODUVAL, RESIDING AT 'SRI SAIDEEP', PATHWADY ROAD, UPPALA VILLAGE AND MANJESHWAR TALUK, MANJESHWAR P.O., KASARAGOD DISTRICT, PIN - 671 323. BY ADV

M.SASINDRAN THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31.08.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

The marital discord among spouses has resulted in the

respondent/husband filing O.P.No.159 of 2020 before the Family Court, Kasargod. The petitioner/wife, who along with the handicapped minor child born in the wedlock is residing in Kannur, has filed M.C.No.149 of 2020 and O.P. No.467 of 2020 before the Family Court, Kannur. The petitioner seeks transfer of O.P.No.159 of 2020 from the Family Court, Kasargod to the Family Court, Kannur.

2. It is submitted that with a handicapped child to look after, the petitioner will have to face extreme difficulty, if compelled to contest the case at Kasargod.

3. The learned Counsel for the respondent fairly submitted that the respondent has no objection in original petition being transferred. In the result, the Tr.P.C No.244 of 2021 is allowed. O.P.No.159 of 2020 pending on the files of the Family Court, Kasargod shall forthwith be transferred to the Family Court, Kannur.

Sd/- V.G.ARUN JUDGE RK APPENDIX OF TR.P(C) 244/2021 PETITIONER'S ANNEXURE ANNEXURE 1 TRUE COPY OF PETITION IN OP 159/2020 FILED BY THE RESPONDENT BEFORE THE FAMILY COURT, KASARAGOD. ANNEXURE 2 TRUE COPY OF COUNTER FILED BY THE PETITIONER IN O.P.159/2020 BEFORE THE FAMILY COURT, KASARAGOD. ANNEXURE 3 TRUE COPY OF CERTIFICATE OF THE PETITIONER'S SON ISSUED FROM GOVT. TALUK H.Q.HOSPITAL, TALIPARAMBA. RESPONDENT'S ANNEXURE

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