

Dilsha vs Manikandan

Dilsha vs Manikandan

SooperKanoon Citation : sooperkanoon.com/1779556

Court : Kerala

Decided On : Jul-30-2020

Judge : Honourable Mrs. Justice Shircy V.

Appeal No. : Tr.P(C)/262/2020

Appellant : Dilsha

Respondent : Manikandan

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE SHIRCY V.
THURSDAY, THE 30TH DAY OF JULY 2020 / 8TH SRAVANA, 1942
Tr.P(C).No.262 OF 2020 AGAINST THE ORDER/JUDGMENT IN OP
207/2020 OF FAMILY COURT,THRISSUR PETITIONER/S: 1 DILSHA
AGED 22 YEARS D/O.SURESH BABU, VELLANI HOUSE,
KADAVANAD, PONNANI 2 SURESH BABU, AGED 55 YEARS
S/O.SANKARAN, VELLANI HOUSE, KADAVANAD, PONNANI BY ADV.
SRI.K.B.ARUNKUMAR RESPONDENT/S: MANIKANDAN AGED 32
YEARS S/O.PADMANABHAN, ALLATH HOUSE, IRINGAPPURAM,
PUTHENPALLI(PO), THRISSUR DISTRICT, PIN-680 103. THIS
TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION

ON 30.07.2020, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER

Dated this the 30th day of July 2020 This petition is filed by the respondents in O.P. No. 207 of 2020 pending before the Family Court, Thrissur seeking the following relief:

This Hon'ble court may be pleased to pass an order

transferring O.P. No. 207/2020 on the file of the Family Court, Thrissur to Family Court, Tirur in the interest of justice.

2. It is submitted by the learned counsel for the petitioners that in fact the 1st petitioner has filed three

cases before the Family Court, Tirur

to the petitions filed by her against the respondent, he has filed O.P. No. 207 of 2020 for realization of money alleging that he has presented some gold ornaments to her.

3. In spite of notice to the respondent, he did not turn up.

4. On going through the records, I am convinced that the 1st petitioner, who is a lady aged 22 years, is residing with her parents at the parental house at Ponnani within the jurisdiction of the Family Court, Tirur. Since she is contesting the case filed by her against her husband before the Family Court, Tirur, it will be most convenient for her to travel upto to Tirur to attend the proceedings. Hence, this petition.

5. In all matrimonial disputes, the convenience of the wife has to be preferred while considering transfer petition. (See Sumita Singh v. Kumar Sanjay (2002 KHC

1889), Sailaja V v. V. Koteswara Rao (2003 KHC 3105) and Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi ((2005) 12 SCC 237). Considering that, there

is no contest on the side of the respondent as well the fact that three cases are pending before the Family Court, Tirur, I think that the O.P. filed by the respondent against the petitioners can also be transferred to Family Court, Tirur as prayed for by the petitioners. Therefore, this petition is allowed and O.P. No. 207 of 2020 pending before the Family Court, Thrissur is transferred to the Family Court, Tirur. The learned Judge, Family Court, Thrissur shall fix a date for appearance of the parties and transmit the records to Family Court, Tirur. Sd/- SHIRCY V. JUDGE sb
APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE 1 THE TRUE COPY OF THE PETITION IN OP NO.207/2020 ON THE FILE OF FAMILY COURT, THRISSUR.

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