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Jayanthi, vs Santhosh Kumar,

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Court : Kerala

Decided On : Nov-29-2019

Judge : Honourable Mr. Justice B.Sudheendra Kumar

Appeal No. : Tr.P(C)/27/2019

Appellant : Jayanthi,

Respondent : Santhosh Kumar,

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE B.SUDHEENDRA KUMAR FRIDAY, THE 29TH DAY OF NOVEMBER 2019 / 8TH AGRAHAYANA, 1941 Tr.P(C).No.27 OF 2019 OP 1059/2018 OF FAMILY COURT, IRINJALAKUDA PETITIONER/S: JAYANTHI, AGED 38 YEARS D/O NAGENDRAN, KOOKKAN PARAMBU HOUSE, THIRUVANGAD VILLAGE, THALASSERI TALUK, THIRUVANGAD P.O., KANNUR DISTRICT-670103. BY ADVS. SRI.U.P.BALAKRISHNAN SRI.ABDUL RAOOF PALLIPATH RESPONDENT/S: SANTHOSH KUMAR, AGED 43 YEARS S/O PURUSHAN, ADIMACHAL HOUSE, LOKAMALLESWARAM VILLAGE, KODUNGALLUR TALUK, P.O. KODUNGALLUR, THRISSUR DISTRICT-680664. THIS TRANSFER

PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29.11.2019, THE COURT ON THE SAME DAY PASSED THE FOLLOWING: -2-

ORDER

The prayer in this Transfer Petition is to transfer O.P. No.1059 of 2018 on the files of the Family Court, Irinjalakuda to the Family Court, Thalassery for the trial and disposal in accordance with law.

2. Service is complete. However, there is no appearance for the respondent.

3. Heard the learned counsel for the petitioner.

4. The petitioner is the wife. She has no job or other source of income for her livelihood. The petitioner is

residing in Kannur District. There is nobody to accompany the petitioner to the Family Court, Irinjalakuda. That apart, she has to bear the travelling expenses for her journey from her house in Kannur to the Family Court, Irinjalakuda. So also, connected O.P. No.911 of 2018 -3-

and M.C. No.445 of 2018 are pending before the Family Court, Thalassery. Since connected matters are pending before the Family Court, Thalassery, I am of the view that it will be convenient to both sides if the above case is transferred to the Family Court, Thalassery. In the said circumstances, I am inclined to allow this transfer petition.

In the result, this Transfer Petition stands allowed, transferring O.P.No.1059 of 2018 on the files of the Family Court, Irinjalakuda to the Family Court, Thalassery, for the trial and disposal, in accordance with law. The case records shall be transmitted to the transferee court forthwith. The petitioner shall appear before the transferee court on 19.12.2019 without further notice. sd B. SUDHEENDRA KUMAR, JUDGE. dl/ -4- APPENDIX PETITIONER'S/S EXHIBITS: ANNEXURE A1 TRUE COPY OF THE O.P. NO.1059/2018 OF THE FAMILY COURT, IRINJALAKKUDA RESPONDENT'S/S EXHIBITS: NIL

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