

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA, 1946

TR.P(C) NO. 212 OF 2023

AGAINST THE ORDER/JUDGMENT DATED IN OP NO.481 OF 2021 OF
FAMILY COURT, THODUPUZHA

PETITIONER/PETITIONER IN OP 481/2022:

SREEJA E

AGED 47 YEARS, D/O LATE T S IRAVI PILLAI
, THENGUMTHOTTATHIL HOUSE ,
MANAKKADU P O, MANAKKADU VILLAGE ,
THODUPUZHA TALUK,
IDUKKI DISTRICT, PIN - 685584

BY ADVS.

P.CHANDY JOSEPH
C.K.VIDYASAGAR

RESPONDENTS/RESPONDENTS IN OP 481/2022:

- 1 GOVINDANKUTTY R
AGED 52 YEARS, S/O LATE K.G. RAVEENDRAN NAIR,
RESIDING AT T.C. 7/45 (15),
KULAPPURATHU, 19, RIVER VALLEY,
KANJIRAPARA P.O.
THIRUVANANTHAPURAM., PIN - 695030
- 2 PADMAKUMARI
AGED 81 YEARS, W/O LATE K.G. RAVEENDRAN NAIR,
RESIDING AT T..C. 7/45 (15),
KULAPPURATHU, 19, RIVER VALLEY,
KANJIRAPARA P.O.
THIRUVANANTHAPURAM., PIN - 695030

BY ADVS.

GOPIKRISHNAN NAMBIAR M
K.JOHN MATHAI (K/413/1984)
JOSON MANAVALAN (J-526)
KURYAN THOMAS (K/131/2003)
PAULOSE C. ABRAHAM (MAH/58/2006)
RAJA KANNAN (K/356/2008)
R.CHETHAN KRISHNA (K/646/2013)

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27.03.2024, ALONG WITH Tr.P(C).314/2023, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

..2..

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE DR. JUSTICE KAUSER EDAPPAGATH

WEDNESDAY, THE 27TH DAY OF MARCH 2024 / 7TH CHAITHRA, 1946

TR.P(C) NO. 314 OF 2023

AGAINST THE ORDER/JUDGMENT DATED IN OP NO.481 OF 2022 OF
FAMILY COURT, THODUPUZHA

PETITIONER/2ND RESPONDENT IN O.P.NO.481/2022:

PADMAKUMARI
AGED 79 YEARS,
W/O. LATE K.G. RAVEENDRAN NAIR,
RESIDING AT T.C. 7/45(15), KULAPPURATHU, 19,
RIVER VALLEY, KANJIRAMPARA P.O.,
THIRUVANANTHAPURAM, PIN - 695030
BY ADVS.
M.GOPIKRISHNAN NAMBIAR
R.CHETHAN KRISHNA
K.JOHN MATHAI
JOSON MANAVALAN
KURYAN THOMAS
RAJA KANNAN
PAULOSE C. ABRAHAM

RESPONDENTS/PETITIONER AND 1ST RESPONDENT IN OP.481/2022:

- 1 SEEJA E
AGED 45 YEARS
D/O. T.S. ERAVI PILLAI,
RESIDING AT THENGUMTHOTTATHI HOUSE,
MANACAUD P.O., THODUPUZHA, PIN - 685584
- 2 GOVINDANKUTTY R
AGED 50 YEARS
S/O. THE LATE K.G. RAVEENDRAN NAIR, AGED 50
YEARS, RESIDING AT T.C. 7/45(15), KULAPPURATHU,
19, RIVER VALLEY, KANJIRAMPARA P.O.,
THIRUVANANTHAPURAM, PIN - 695030
BY ADVS.
P CHANDY JOSESPH
C.K.VIDYASAGAR(V-207)

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 27.03.2024, ALONG WITH Tr.P(C).212/2023, THE
COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

..3..

ORDER

Both these transfer petitions are connected.

2. O.P.No.481/2021 has been filed by the wife against the husband and his mother for realisation of money before the Family Court, Thodupuzha. O.P.No.2385/2021 has been filed by the husband against the wife before the Family Court, Thiruvananthapuram for divorce.

3. Transfer Petition No.212/2023 has been filed to transfer O.P.No.2385/2021 to the Family Court, Thodupuzha. Transfer Petition No.314/2023 has been filed to transfer O.P.No.481/2022 to the Family Court, Thiruvananthapuram.

4. The husband is employed at abroad. The mother of the husband is now residing at Thiruvananthapuram. The wife is residing at Thodupuzha. Since both cases are connected and between the same parties, it is just and proper that both cases are tried and disposed of by the very same Court. The medical certificate produced by the mother of the husband would show that she is aged 80 years and suffering from various ailments, whereas, the wife is aged 45 years.

Tr.P.(C) Nos. 212 & 314 of 2023

..4..

Considering all these facts and circumstances, Transfer Petition No.314/2023 is allowed by transferring O.P.No.481/2022 pending on the file of Family Court, Thodupuzha to the Family Court, Thiruvananthapuram. Tr.P.(C) No.212/2023 is dismissed.

Sd/-

**DR. KAUSER EDAPPAGATH
JUDGE**

APA

APPENDIX OF TR.P(C) 212/2023

PETITIONER ANNEXURES

ANNEXURE A1 TRUE COPY OF THE ORIGINAL PETITION
NO.2385/2021 FILED BY THE 1ST
RESPONDENT BEFORE THE FAMILY COURT,
THIRUVANANTHAPURAM DATED 21.10.2021

ANNEXURE A2 TRUE COPY OF THE ORIGINAL PETITION
NO.481/2022 FILED BY THE PETITIONER
BEFORE THE FAMILY COURT, THODUPUZHA
DATED 22.01.2022

RESPONDENT ANNEXURES

ANNEXURE-R2 (A) TRUE COPY OF THE MEDICAL CERTIFICATE
ISSUED BY DR. K. ASHOKAN TO THE 2ND
RESPONDENT DATED 09.03.2023

APPENDIX OF TR.P(C) 314/2023

PETITIONER ANNEXURES

- ANNEXUREA1 TRUE COPY OF THE ORIGINAL PETITION NO. 2385/2021 FILED BY THE 2ND RESPONDENT FOR DISSOLUTION OF MARRIAGE ON 21.10.2021, BEFORE THE FAMILY COURT, THIRUVANANTHAPURAM
- ANNEXURE A2 TRUE COPY OF THE ORIGINAL PETITION NO. 481/2022 FILED BY THE 1ST RESPONDENT FOR RECOVERY OF GOLD ORNAMENTS AND MONEY, DATED 22.10.2022, BEFORE THE FAMILY COURT, THODUPUZHA
- ANNEXURE A3 TRUE COPY OF THE MEDICAL CERTIFICATE ISSUED BY DR. K. ASHOKAN TO THE PETITIONER, DATED 09.03.2023