



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

MONDAY, THE 9<sup>TH</sup> DAY OF SEPTEMBER 2024 / 18TH BHADRA, 1946

TR.P(C) NO. 282 OF 2024

OP NO.235 OF 2024 OF FAMILY COURT, KANNUR

PETITIONER/RESPONDENT:

SIJYA GANGU,D/O GANGADHARAN K  
AGED 34 YEARS  
SANDHYA NILAYAM, MOLOTHINGAL  
BEDADKA.P.O., KASARAGOD DISTRICT, PIN - 671541

BY ADVS.  
TITUS MANI  
THOMAS ANTONY KALLANPALLY  
P.A.JACOB  
BINNY THOMAS  
SWAROOP A.P.

RESPONDENT/PETITIONER:

SUDHEESH K V, S/O. PADMANABHAN . E  
AGED 43 YEARS  
SUNITHA NIVAS, KEECHERY VILLAGE, ANCHAMPEEDIKA .P.O,  
MOTTAMMAL, KANNUR DISTRICT, PIN - 670331

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 09.09.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



**VIJU ABRAHAM, J.**

.....  
**Tr.P.(C) No.282 of 2024**  
.....

Dated this the 9<sup>th</sup> day of September, 2024

**ORDER**

The petitioner has approached this Court seeking transfer of O.P.No.235 of 2024 on the file of the Family Court, Kannur to the Family Court, Kasaragod, a petition filed by the respondent seeking dissolution of marriage.

2. Petitioner submits that she belongs to Bedadka, Kasaragod and she is presently residing with her aged mother who is paralysed and suffering from serious health problems and that the Family Court, Kannur is almost 95 kms. away from her residence. It is in the said circumstances that the petitioner has filed this petition seeking transfer of the proceedings from Family Court, Kannur to the Family Court, Kasaragod

Taking into consideration the fact that the Family Court, Kannur is almost 95 kms. away from the petitioner's house and she is residing within the territorial jurisdiction of the Family Court, Kasaragod and also taking into consideration the settled law that the convenience of the wife is of paramount importance while considering an application for transfer of the case as held by the Apex Court in **Sumita Singh v. Kumar Sanjay and another, AIR 2002 SC 396, Mangla Patil Kale v. Sanjeev Kumar Kale, (2003) 10 SCC 280, Aishwarya v. Saravana Karthik Sha, 2022 (4) KLT**



**OnLine 1020 (SC) and Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi, 2005 (1) KLT OnLine 1169(SC)**, I am inclined to pass an order transferring O.P. No.235 of 2024 on the file of the Family Court, Kannur to the Family Court,Kasaragod for trial and disposal.

Transfer petition (Civil) is allowed as above.

Sd/-

**VIJU ABRAHAM  
JUDGE**

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**APPENDIX OF TR.P(C) 282/2024**

**PETITIONER ANNEXURES**

**Anexure A-1**

**TRUE COPY OF O.P. NO. 235/2024**