

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (C) NO.2717/2024

**TANVI VIJAYAKUMAR NAIR @
DR. TANVI. V NAIR & ANR.**

PETITIONERS

VERSUS

RAHUL S KUMAR

RESPONDENT

O R D E R

1. Read the office report dated 31st December, 2024. Service has been duly effected.
2. The marriage between the petitioner no.1, Tanvi Vijayakumar Nair @ Dr. Tanvi V. Nair, and the respondent, Rahul S. Kumar, was solemnized on 26th October, 2014 at Trivandrum, Kerala. A son named Vihaan Rahul (petitioner no.2 herein) was born on 26.11.2017 from the wedlock. However, the spouses have since drifted apart owing to differences arising by and between them.
3. The petitioner no.1 instituted proceedings under Section 7 of Family Courts Act, 1984, under Section 13 of the Hindu Marriage Act, 1955 and under Section 20 of the Hindu Adoptions and Maintenance Act, 1956, bearing Original Petition No.376 of 2023 titled "*Dr. Tanvi Vijayakumar Nair @ Dr. Tanvi V. Nair & Anr. V. Rahul S. Kumar*" before the Family Court at Thiruvananthapuram, Kerala.

4. On the multiple grounds urged in the petition, the petitioners have now sought for transfer of the aforesaid proceedings from the Family Court at Thiruvananthapuram, Kerala to the Family Court at Bengaluru, Karnataka. The primary reason is that the petitioner no.1 has moved to Bengaluru with her minor son for the purposes of work in order to meet their basic necessities.

5. The respondent has neither entered appearance nor has he filed any counter affidavit dealing with the statements/averments made in the transfer petition. We are, thus, inclined to the view that the respondent has no serious objection to grant of the prayer for transfer.

6. We are also otherwise satisfied, having regard to the inconvenience the petitioner no.1 is likely to face if the proceedings were continued in the Family Court at Thiruvananthapuram, which is at a distance of around 700 kms from her present place of residence, that interest of justice demands grant of the prayer for transfer.

7. Hence, the transfer petition is allowed. Original Petition No.376 of 2023 titled "*Dr. Tanvi Vijayakumar Nair @ Dr. Tanvi V. Nair & Anr. V. Rahul S. Kumar*" pending before the Family Court at Thiruvananthapuram, Kerala is transferred to the Court of the Principal Family Judge at Bengaluru, Karnataka. Records of Original Petition No.376 of 2023 be transferred to the transferee court

immediately.

8. To avoid delay, the parties are directed to appear before the transferee court on 12th February, 2025. If any or both the parties fail to appear on that day, the presiding officer of the transferee court will fix another date of appearance. Thereafter, he shall be free to proceed in accordance with law.

9. The presiding officer shall endeavour to bring about a settlement between the parties through the process of mediation. If the process is unsuccessful, nothing shall preclude the presiding officer to take the proceedings to its logical conclusion on its merits and in accordance with law.

10. If the respondent is unable to attend the proceedings in person on any occasion, he will be at liberty to seek permission to attend through the virtual mode and if such a permission is sought, the presiding officer of the court may proceed to consider it reasonably.

11. Pending application(s), if any, shall stand disposed of.

.....J.
(DIPANKAR DATTA)

.....J.
(PRASHANT KUMAR MISHRA)

**New Delhi;
January 03, 2025.**

ITEM NO.1

COURT NO.15

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 2717/2024

TANVI VIJAYAKUMAR NAIR @ DR. TANVI. V NAIR & ANR. Petitioners

VERSUS

RAHUL S KUMAR

Respondent

Date : 03-01-2025 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DIPANKAR DATTA

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Darpan Km, Adv.
Ms. Amrita Sharma, Adv.
Mr. Rajat Jonathan Shaw, Adv.
Mr. Durgha Prakash, Adv.
Ms. Rashi Bansal, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. The transfer petition is allowed in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(RASHMI DHYANI PANT)
COURT MASTER (SH)

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)

(signed order is placed on the file)