

(2022) 02 KL CK 0243

In the High Court Of Kerala

Case No : Transfer Petition (CRL.) NO. 9 OF 2022

Rincy Marium Raju

APPELLANT

Vs

Lijith P Kurian

RESPONDENT

Date of Decision : 28-02-2022

Acts Referred:

Protection of Women from Domestic Violence Act, 2005 — Section 12

Citation : (2022) 02 KL CK 0243

Hon'ble Judges : Dr Kauser Edappagath, J

Bench : Single Bench

Advocate : V.John Mani, S.Jayant, Varghese Sabu, Jackson Johny, K.K.Sethulakshmi, Diana Laurance Paul

Final Decision : Allowed

Judgement

Dr. Kauser Edappagath, J

1. This transfer petition has been filed to transfer M.C.No.283/2019 pending on the files of the Family Court Ernakulam to the Family Court, Kollam.
2. The petitioners herein are the petitioners and the respondents herein are the respondents in the M.C. The respondent No.1 is the husband of the 1st petitioner and father of the 2nd petitioner. The respondents Nos. 2 and 3 are the mother and sister of the respondent No.1 respectively.
3. M.C.No.283/2019 has been filed under Section 12 of the Protection of Women from Domestic Violence Act. At the time of filing of the MC, the 1st petitioner was temporarily employed at Ernakulam. Now according to her, she lost the job and had gone back to her native place at Kollam.
4. The learned counsel for the respondents strongly opposed the petition. She submits that the petition itself is not maintainable before the Family Court.
5. The respondents are natives of Kottayam. It will be convenient for the respondents also, if the M.C is transferred to Kollam. Kollam is closer to

Kottayam than to Ernakulam. Considering all these aspects, I am of the view that this transfer petition can be allowed.

In the result, the transfer petition is allowed. M.C.No.283/2019 pending on the files of the Family Court, Ernakulam is withdrawn and transferred to the Family Court, Kollam.