

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE P.V.KUNHIKRISHNAN

FRIDAY, THE 1ST DAY OF DECEMBER 2023 / 10TH AGRAHAYANA,

1945

TR.P(CRL.) NO. 91 OF 2023

**AGAINST THE ORDER/JUDGMENT MC 137/2019 OF FAMILY
COURT, ERNAKULAM**

PETITIONER/S:

SHIHAB K.B., AGED 46 YEARS
S/O K.P.BEERAN, KOLLAMPARAMBIL HOUSE,
PALLILAMKARA, THRIKKAKARA NORTH, H.M.T. COLONY
P.O, KALAMASSERY, ERNAKULAM, PIN - 683503
REPRESENTED BY HIS POA HOLDER, K.P. BERAN, AGED
76 YEARS, S/O. LATE PAREED, KOLLAMPARAMBIL HOUSE,
PALLILAMKARA, THRIKKAKARA, NORTH, H.M.T COLONY
P.O, KALAMASSERY, ERNAKULAM, PIN - 683503
BY ADVS.
M.P.SHAMEEM AHAMED
AKHIL PHILIP MANITHOTTIYIL
DANIYA RASHEED PALLIYALIL

RESPONDENT/S:

- 1 SUHADATH K.K, AGED 38 YEARS
D/O. KUNJUMOHAMMED, KACHANKUZHY, MALAYIDAMTHRUTHU
P.O., KIZHAKKAMBALAM VILLAGE, KUNNATHUNADU TALUK,
PERUMBAVOOR, PIN - 683561
- 2 AHAMMED AMAN, AGED 13 YEARS
(DOB - 04.01.2010), AGED 13 YEARS, S/O SHIHAB,
KACHANKUZHY, MALAYIDAMTHRUTHU P.O.,
KIZHAKKAMBALAM VILLAGE, KUNNATHUNADU TALUK,
PERUMBAVOOR REPRESENTED BY HIS MOTHER, PIN -
683561

THIS TRANSFER PETITION (CRIMINAL) HAVING COME UP FOR
ADMISSION ON 01.12.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

P.V.KUNHIKRISHNAN, J.

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Dated this the 1st day of December, 2023

ORDER

This transfer petition is filed to transfer MC No.137 of 2019 pending before the Family Court, Ernakulam to the Family Court, Muvattupuzha. The petition is filed by the petitioner under Section 127 Cr.P.C to modify an order for maintenance. Even though notice is issued, there is no appearance for the respondents.

2. It is submitted that the connected Guardian OP (custody matter) is pending before the Family Court Muvattupuzha and the 2nd respondent, the minor child, is residing at Kizhakambalam, which is within the jurisdiction of Family Court, Muvattupuzha. If that be so, this case also can be transferred to Family Court, Muvattupuzha.

Therefore, this Transfer Petition is allowed. MC No.137 of 2019 pending before the Family Court, Ernakulam is transferred to the Family Court, Muvattupuzha. The Family Court, Ernakulam will

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transfer all the records in MC No.137 of 2019 to the Family Court,
Muvattupuzha forthwith.

sd/-

P.V.KUNHIKRISHNAN
JUDGE

das

APPENDIX OF TR.P(CRL.) 91/2023

PETITIONER ANNEXURES

Annexure A1	TRUE COPY OF THE M.C. NO.137/2019 PENDING ON THE FILES OF FAMILY COURT, ERNAKULAM
Annexure A2	COPY OF THE JUDGMENT DATED 23.06.2017 IN RPFC 468/2016
Annexure A3	COPY OF THE ORDER DATED 30.06.2023 OF THE FAMILY COURT AT ERNAKULAM IN GUARDIAN OP 983/2019
Annexure A4	COPY OF THE GUARDIAN OP 761/2023 BEFORE THE FAMILY COURT AT MUVATTUPUZHA