

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

Transfer Petition(s)(Civil) No(s). 634-635/2020

ANNA PAUL @ ANNA PAUL BRAHMAKULAM Petitioner(s)

VERSUS

LOUIE MATHEW Respondent(s)

WITH

Transfer Petition(s)(Civil) No(s) 917/2020

O R D E R

We have heard learned counsel for the parties.

These transfer petitions [Transfer Petition (Civil) Nos. 634-635/2020 and 917/2020] have been filed under Article 139-A(2) of the Constitution read with Section 25 of the Code of Civil Procedure, seeking transfer of petitions bearing OP No. 1969 of 2019 titled *Louie Mathew v. Anna Paul Brahmakulam* and OP No. 2059 of 2019 titled *Anna Paul @ Anna Paul Brahmakulam v. Louie Mathew* and OP No. 102 of 2020 titled *Louie Mathew v. Anna Paul Brahmakulam & Anr.* pending on the file of the Family Court at Ernakulam, Kerala to the Court of 2nd Additional Principal Judge, Family Court at Bangalore, Karnataka.

Learned counsel for the petitioner submits that the petition for custody of her seven year old daughter under the Guardian and Wards Act, 1890 is also pending before the Family Court at Bangalore, Karnataka, as such the matters pending before the Family Court at Ernakulam, Kerala be also

transferred to the Family Court at Bangalore, Karnataka.

Learned counsel for the respondent is agreeable for relief sought in these transfer petitions. He further requests to issue directions for expeditious disposal of the matters by the transferee Court.

Considering the submissions made by learned counsel for the parties and looking into the facts and circumstances of the case, it is in the interest of justice to allow these transfer petitions. Accordingly, original petitions i.e. OP No. 1969 of 2019 titled *Louie Mathew v. Anna Paul Brahmakulam* and OP No. 2059 of 2019 titled *Anna Paul @ Anna Paul Brahmakulam v. Louie Mathew* and OP No. 102 of 2020 titled *Louie Mathew v. Anna Paul Brahmakulam & Anr.* pending on the file of the Family Court at Ernakulam, Kerala are hereby ordered to be transferred to the Court of the Principal Judge, Family Court at Bangalore, Karnataka.

These transfer petitions are allowed. As the relief sought for in both the petitions is identical, there shall be a direction to the transferee court, for expeditious disposal of the petitions, preferably within a period of six months from the date of the receipt of the record from the Family Court at Ernakulam, Kerala.

.....J.
[R. SUBHASH REDDY]

NEW DELHI;
FEBRUARY 17, 2021.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G STransfer Petition(s)(Civil) No(s). 634-635/2020

ANNA PAUL @ ANNA PAUL BRAHMAKULAM

Petitioner(s)

VERSUS

LOUIE MATHEW
(FOR IA No.52869/2020-STAY APPLICATION)

Respondent(s)

WITH
T.P.(C) No. 917/2020 (XVI-A)
(FOR EX-PARTE STAY ON IA 79781/2020)

Date : 17-02-2021 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Shivendra Singh, AOR

For Respondent(s) Mr. Romy Chacko, AOR

UPON hearing the counsel the Court made the following

O R D E R

The transfer petitions are allowed in terms of the signed order.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS(RENU KAPOOR)
BRANCH OFFICER

[Signed order is placed on the file]