

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). 714-715/2020

SONIA BALAKRISHNAN

Petitioner(s)

VERSUS

S. SREEJITH

Respondent(s)

(IA No.60850/2020-EX-PARTE STAY and IA No.60851/2020-EXEMPTION FROM FILING O.T.

IA No. 60850/2020 - EX-PARTE STAY

IA No. 60851/2020 - EXEMPTION FROM FILING O.T.)

Date : 11-08-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Dr. K.P. Kylasanatha Pillay, Sr. Adv.  
Mr. A. Venayagam Balan, AORFor Respondent(s)  
Mr. Annam Venkatesh, AORUPON hearing the counsel the Court made the following  
O R D E RThe transfer petitions stands allowed in terms of the signed  
order.

Pending applications, if any, stand disposed of.

(HARSHITA UPPAL)  
SENIOR PERSONAL ASSISTANT(PREETHI T.C.)  
COURT MASTER (NSH)(Signed order is placed on the file)

**IN THE SUPREME COURT OF INDIA**  
**CIVIL ORIGINAL JURISDICTION**

**Transfer Petition(s)(Civil) No(s). 714-715/2020**

**SONIA BALAKRISHNAN**

**Petitioner(s)**

**VERSUS**

**S. SREEJITH**

**Respondent(s)**

**O R D E R**

Heard the learned senior counsel appearing on behalf of the petitioner and the learned counsel appearing for the respondent. The petitioner-wife is a resident of Uchakkada, Thiruvananthapuram, Kerala and the respondent-husband is a resident of Nagercoil, Kanyakumari, Tamil Nadu.

Two proceedings filed by the respondent-husband arise out of the matrimonial dispute. The first is a petition under Section 9 of the Hindu Marriage Act, 1955 for the restitution of conjugal rights and the second is a petition under Guardians and Wards Act 1890. The prayer in this petition is for transfer of both the petitions which are pending before the District Family Welfare Court, Kanyakumari at Nagercoil, Tamil Nadu to the Family Court at Thiruvananthapuram, Kerala.

The opposition of the learned counsel appearing for the respondent is on the ground that the Court in which the proceedings are pending is only at a distance of 76 kms only from the place of residence of the petitioner, and therefore, it is quite possible for the petitioner to attend to the proceedings in the Court at Nagercoil.

There is no dispute that now the petitioner-wife is a resident of Thiruvananthapuram and the respondent-husband is a resident of Nagercoil. Moreover, the petitioner has to look after her minor son. Therefore, a case is made out for passing an order for transfer of the aforesaid petitions.

Accordingly, the transfer petitions are allowed. The I.D.O.P. No. 177 of 2019 and G.W.O.P. No. 149 of 2019 titled as "S. Sreejith Vs. Sonia Balakrishnan " pending before the District Family Welfare Court, Kanyakumari at Nagercoil, Tamil Nadu are hereby transferred to the Family Court at Thiruvananthapuram, Kerala.

Pending applications, if any, stand disposed of.

.....J.  
(ABHAY S. OKA)

11<sup>th</sup> AUGUST 2022  
NEW DELHI

