

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 874/2020

JYOTHY ANTHRAPER

Petitioner(s)

VERSUS

TOMY JOSEPH

Respondent(s)

O R D E R

This is a transfer petition filed by the petitioner who is the wife of the respondent under Section 25 of the Code of Civil Procedure, 1908, seeking transfer of M.C. No.1504/2020 titled as "Tomy Joseph vs. Jyothy Anthraper", pending before the Principal Judge, Family Court, Bengaluru, Karnataka to the Family Court at Ernakulam, Kerala.

2. The said petition is a matrimonial case filed under the provisions of the Indian Divorce Act, 1869 seeking dissolution of marriage by way of a decree of divorce.

3. I have heard Mr. Raghenth Basant, learned counsel for the petitioner and Mr. Roy Abraham, learned counsel for the respondent and perused the material on record.

4. During the course of submissions, my attention was drawn to the fact that O.P. No.2711/2019 and M.C. No.209/2020 have been filed by the petitioner herein before the Family Court at Ernakulam, Kerala. That is one of the reasons stated for the transfer of M.C. No.1504/2020 pending on the file of Principal Judge, Family Court, Bengaluru, Karnataka to the Family Court at Ernakulam, Kerala.

5. It is also noted that the petitioner is residing at Ernakulam and the respondent is residing overseas and also has an address at Bangaluru. Having regard to the fact that there are two other petitions already pending before the Family Court at Ernakulam and in order to have a comprehensive disposal of the said cases, along with M.C. No.1504/2020 pending before the Principal Judge, Family Court, Bangalore, Karnataka, it is just and proper to transfer the latter case to the Family Court at Ernakulam, Kerala. It is also directed that M.C. No.1504/2020 be clubbed along with O.P. No.2711/2019 and M.C. No.209/2020 and the same may be disposed of together. Ordered accordingly.

6. The Transfer Petition is, accordingly, allowed.

..... J.  
(JUSTICE B.V. NAGARATHNA)

September 9, 2021  
New Delhi;

