

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
TRANSFER PETITION (CIVIL) NO.1412 OF 2019

K.M. Babitha ... Petitioner

Versus

K. Vishnu Prabhu ... Respondent

O R D E R

This petition has been filed by the petitioner (wife) under Section 25 of the Code of Civil Procedure, 1908 seeking transfer of Petition bearing HMOP No.193 of 2019 titled as *K. Vishnu Prabhu vs. K.M. Babitha* pending before the Family Court, Coimbatore, Tamil Nadu to a court of competent and equivalent jurisdiction at Kozhikode, Kerala.

Heard Mr. Jogi Scaria, learned counsel for the petitioner. The respondent has not entered appearance despite service of notice.

Mr. Jogi Scaria, learned counsel for the petitioner submits that the petitioner has filed a Maintenance petition and the same is pending at Kerala and the respondent is required to attend that proceedings. Besides, 2 year child of the couple is residing with the petitioner at Kozhikode.

Having heard learned counsel and having considered the facts and circumstances of the case, I deem it fit and proper to allow the transfer petition. Accordingly, the HMOP No.193 of 2019 titled as *K. Vishnu Prabhu vs. K.M. Babitha* pending before the Family

Court, Coimbatore, Tamil Nadu is transferred to the court of competent jurisdiction at Kozhikode, Kerala.

Let the records of the case be transferred to the concerned court without delay.

The Transfer Petition is, accordingly, allowed.

....., J.
(Hrishikesh Roy)

New Delhi;
May 21, 2020

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 S

Transfer Petition(s)(Civil) No(s). 1412/2019

K. M. BABITHA

Petitioner(s)

VERSUS

K. VISHNU PRABHU

Respondent(s)

(FOR ADMISSION and IA No.100616/2019-STAY APPLICATION)

Date : 21-05-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Jogy Scaria, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The Court is convened through video conferencing.

The Transfer petition is allowed in terms of the signed order.

Pending applications, if any, stand disposed of accordingly.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(R.S. NARAYANAN)
COURT MASTER