

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO.753 OF 2019

ASHA KRISHNAN

PETITIONER(S)

VERSUS

RAJESH

RESPONDENT(S)

WITH

TRANSFER PETITION (CRIMINAL) NO.83 OF 2019

O R D E R

Heard Mr. Mukund P. Unny, learned counsel for the petitioner (wife). The respondent (husband) represented by Mr. M.P. Srivignesh, learned counsel.

The Supreme Court Mediation Centre tried to resolve this Matrimonial dispute but the report (17.07.2020) indicates that the mediation had failed.

The petitioner seeks transfer of the divorce case filed by the respondent (husband), pending in Periyakulam, Tamil Nadu to the Competent Court at, Thiruvananthapuram. Mr. Mukund P. Unny, learned counsel submits that three proceedings initiated by the petitioner are pending in Thiruvananthapuram. The Petitioner is residing with her young son, in her parental home at Thiruvananthapuram and she will have faced difficulty in traveling to Periyakulam to contest the case.

The respondent, on the other hand, is working as Assistant Manager with Powerica Ltd. at Chennai and will face no difficulty, if the case is transferred to Thiruvananthapuram.

2.

Having considered the above circumstances, the Transfer Petition stands allowed. Accordingly, HMOP No.77 of 2018 titled as "*Rajesh Vs. Asha Krishnan*" pending before the Court of Subordinate Judge, Periyakulam, Tamil Nadu is transferred to the Family Court, Thiruvananthapuram, Kerala. The transferor court shall forthwith transmit the record of the aforesaid case to the transferee court. After transfer of the petition, the transferee Court is requested to make endeavour either for amicable settlement or for early decision in the matter.

Transfer Petition (Crl.) No.83/2020:

In view of order passed in T.P.(C) No.753/2019, the instant Transfer Petition (Crl.) No. 83/2020 is disposed of.

.....,J.  
(HRISHIKESH ROY)

NEW DELHI  
August 19, 2020

1.

ITEM NO.15 Court 6 (Video Conferencing) SECTION XVI-A

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 (Civil) No.753/2019

ASHA KRISHNAN Petitioner(s)

VERSUS

RAJESH Respondent(s)

(Mediation Report received  
IA No. 59100/2019 - STAY APPLICATION)

WITH  
T.P.(Cr1.) No. 83/2020 (XVI-A)

IA No. 12645/2020 - EX-PARTE STAY  
IA No. 12646/2020 - EXEMPTION FROM FILING O.T.)

Date : 19-08-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY

For Parties Mr. Mukund P. Unny, Adv.  
Mr. Jose Abraham, AOR  
Mr. P. V. Dinesh, AOR  
Mr. Jose Abraham, AOR

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

Transfer Petition (Civil) No.753/2019:

The Transfer Petition is allowed in terms of signed  
order.

Pending application(s), is any, shall stand disposed of.

2.

Transfer Petition (Cr1.) No.83/2020:

In view of order passed in T.P.(C) No.753/2019, the instant Transfer Petition (Cr1.) No.83/2020 is disposed of.

Pending application(s), if any, shall also stand disposed of

(RACHNA)  
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)  
COURT MASTER (NSH)

(Signed order is placed on the file)