

NON REPORTABLE

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

TRANSFER PETITION (C) NO. 531 OF 2008

Veronica @ Latha

...Petitioner(s)

VERSUS

V. Philip James

. .Respondent(s)

J U D G M E N T

TARUN CHATTERJEE,J.

1. Although the husband has entered appearance through his counsel in this petition for transfer but on behalf of the respondent, no counter affidavit has been filed.
2. This is an application for transfer of the Divorce Petition No. 793 of 2007 (V. Philip James Vs. Veronica @Latha) from the Family Court at Allappuzha, Kerala to the Family Court at Bangalore.

3. Having heard the learned counsel for the parties and after going through the transfer petition and considering the admitted fact that both the parties to this petition for transfer are not residing at the place of trial i.e. at Allappuzha and both of them are now stated to be gainfully employed at Bangalore and Chennai respectively and we are informed by the learned counsel for the husband that at present, the husband is now staying in United Arab Emirates (UAE) and further considering the fact that during the subsistence of marriage between the parties, they last resided together at Bangalore, we are of the view that the Divorce Petition being No. 793 of 2007 be transferred from the Family Court at Allappuzha to the Family Court at Bangalore.

4. Accordingly, we dispose of this application by passing the aforesaid order of transfer and direct the Family Court at Allappuzha to transmit the records of this case to the Family Court at

Bangalore within a period of two months from the date of supply of a copy of this order to it positively. The Family Court at Bangalore thereafter shall decide the petition within one year from the date of receiving the records of the present case.

5. The application for transfer is thus disposed of.
There will be no order as to costs.

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...J.

[TARUN CHATTERJEE]

NEW DELHI;
APRIL 28, 2009.

.....J.
[H. L. DATTU]

JUDGMENT