

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

TR. C.M.P. No. 742 of 2014

ORDER:

The present Tr. C.M.P. is filed seeking to transfer O.P.No.10 of 2014 from the Court of the Senior Civil Judge-cum-Judge, Family Court, Shadnagar, Mahabubnagar District, to the Family Court, City Civil Court, Hyderabad.

The case of the petitioner is that her marriage with the respondent took place on 11.05.2006, and out of wedlock, they were blessed with two male children. Thereafter i.e., in the month of May, 2012, the respondent voluntarily deserted her for no valid reasons. She filed O.P.No.1032 of 2012 on the file of the Judge, Family Court, R.R. District at L.B.Nagar seeking to declare her as Guardian of her elder child and for custody of the child. She also lodged a complaint with Shadnagar P.S. against the respondent which was registered as Crime No.315 of 2012 for the offences punishable under Sections 498-A IPC and Sections 3 & 4 of the Dowry Prohibition Act, M.C.No.263 of 2012 on the file of the Judge, Family Court, Nampally, Hyderabad for maintenance, O.P.No.1276 of 2012 on the file of the Judge, Family Court, City Civil Court, Hyderabad for restitution of conjugal rights and also D.V.C.No.379 of 2012 on the file of the III Metropolitan Magistrate, Erramanzil, Hyderabad. As a counter blast to the above cases, the respondent filed O.P.No.7 of 2013 on the file of the Judge, Family Court, Mahabubnagar for divorce. Later, the said O.P. was transferred to the Court of the Senior Civil Judge-cum-Judge, Family Court, Shadnagar, Mahabubnagar and renumbered as O.P.No.10 of

2014. The grievance of the petitioner is that she is residing in Hyderabad along with her two children and parents and she has no earnings and male assistance to come to Mahabubnagar to attend the Court and whenever she attended the Court at Shadnagar, the respondent and his family members are harassing her. Hence, the present petition.

Though a notice was served on the respondent, there is no appearance and no counter opposing the petition is filed on his behalf.

Heard the learned counsel for the petitioner.

In view of the averments made in the affidavit filed in support of the Tr.C.M.P., I am of the view that O.P.No.10 of 2014 be withdrawn and transferred from the Court of the Junior Civil Judge-cum-Judge, Family Court, Shadnagar, Mahabubnagar District, to the Family Court, City Civil Court, Hyderabad.

Accordingly, the Tr.C.M.P. is allowed. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the Tr.C.M.P. shall stand dismissed.

A. RAJASHEKER REDDY, J.

16th November, 2015
cbs

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