

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.142 of 2014

ORDER:

This petition is filed to withdraw O.P.No.589 of 2013 from the file of Family Court, Vijayawada, and transfer the same to Family Court, Kakinada, East Godavari District or any competent Court having jurisdiction.

2. Wife filed this petition and according to her affidavit, she is residing at Kakinada at her parents house due to marital disputes and she gave a complaint against respondent herein and the same is registered as Crime No.3 of 2014 and it is pending. She contended that husband filed O.P.No.589 of 2013 for divorce before the Family Court, Vijayawada and she has got school going children of 11 years and 7 years old and she has no male assistance to escort her from Kakinada to Vijayawada to defend O.P.No.589 of 2013 and prayed for transfer of O.P.No.589 of 2013 from Family Court, Vijayawada to any competent Court having jurisdiction at Kakinada.

3. Respondent-husband has not filed any counter.

4. Heard both sides.

5. Advocate for petitioner submitted that respondent herein is attending Kakinada in connection of criminal cases and he may not have any prejudice, if O.P. is transferred from Vijayawada to Kakinada.

6. Advocate for respondent opposed the application contending that respondent has a life threat at Kakinada and in fact he was attacked once and a report was also given for that attack and police already filed charge sheet, therefore, it is not safe for him at Kakinada and he has no objection for any middle place.

7. Considering the submissions of both sides and also considering the affidavit of the petitioner, I feel that the request of wife can be considered by transferring the case to Principal District Court, East Godavari District at Rajahmundry.

8. For these reasons, O.P.No.589 of 2013 is withdrawn from Family Court, Vijayawada and transferred to Principal District Court, East Godavari District at Rajahmundry for disposal in accordance with law.

9. Accordingly, transfer C.M.P. is ordered. No costs.

10. Miscellaneous Petitions pending, if any, shall stand dismissed.

S. RAVI KUMAR, J

10th April 2015.

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