

HON'BLE SRI JUSTICE S. RAVI KUMAR
Tr.CIVIL MISCELLANEOUS PETITION No.415 of 2014

ORDER:

This petition is filed to withdraw H.M.O.P.No.14 of 2014 from the file of Senior Civil Judge, Markapur, Prakasam District and transfer the same to Senior Civil Judge, Rajampet, YSR Kadapa District for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of the petition, according to which, her marriage with respondent was performed on 15.05.2010 and due to disputes both husband and wife are living separately. She contended that she is staying with her parents at Rajampet and it is difficult for her to undertake journey from Rajampet to Markapur, Prakasam District for the purpose of defending H.M.O.P.No.14 of 2014. She also contended that she is apprehending danger to her life at Markapur in the hands of respondent/husband and his family members, on these grounds, she sought transfer of H.M.O.P. from Markapur to Rajampet.

3. Respondent/husband filed counter disputing the affidavit allegations and contended that petitioner/wife filed 498-A case and DVC with false allegations only to harass respondent and petitioner has influence in Kadapa and Chittoor Districts and there is a threat for him in the hands of petitioner in these districts, and on that ground, he opposed transfer.

4. Reply affidavit is filed disputing these allegations.

5. Heard both sides.

6. Both side advocates submitted their submissions supporting the pleadings of their respective clients.

7. I have perused the material papers including affidavit, counter-affidavit and reply affidavit. As seen from the material

papers, serious allegations are made against each other.

Considering the contentions and rival contentions of both parties, I feel a place nearer to Rajampet would be reasonable and appropriate for trial of H.M.O.P. in the interest of both parties.

8. Considering the contentions and rival contentions of both parties and also considering the convenience of both parties, H.M.O.P.No.14 of.2014 is withdrawn from the file of Senior Civil Judge, Markapur, Prakasam District and transferred to Senior Civil Judge, Rajampet, YSR Kadapa District for disposal in accordance with law.

9. Accordingly, this Transfer Miscellaneous Petition is allowed. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 24-03-2015

gvl