

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.552 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.1003 of 2014 from the file of Family court, Ranga Reddy and transfer the same to Family Court, Kurnool for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of petition, according to which, her marriage with respondent was performed on 08.07.2011 at Anantapur and after marriage, she was harassed both physically and mentally, and being unable to bear harassment, she lodged a complaint before Maddikera Police Station, Kurnool District and the same is registered as Crime No.35 of 2013 and she filed maintenance case against respondent and the same is pending before Judicial First Class Magistrate, Pattikonda. She stated that husband as a counter blast filed O.P.No.1003 of 2014 before Family Court, Ranga Reddy and that she is a house wife and she has no source of income and she is staying at Maddikera, a remote village in Pattikonda on the mercy of her parents and that she has no male assistance to accompany her from Kurnool to Ranga Reddy, which is at a distance of more than 320 KMs. She further stated that she has no relatives at Hyderabad to give shelter to her and that respondent is appearing in Pattikonda Court in connection of maintenance case and also 498-A case and he is also a Software Engineer and capable of travelling. For these reasons, she prayed for transfer of O.P.No.1003 of 2014 from Family Court, Ranga Reddy to Family Court, Kurnool.

3. Respondent/husband filed counter disputing the affidavit averments of petitioner and opposed application on the ground that he has old parents aged about 75 years and he has to look after their welfare and his assistance and service are required. He further contended that he apprehend danger to his life at Kurnool as petitioner has got relatives and friends there. On these grounds, he has opposed the application.

4. Heard arguments.

5. I have perused the material papers including affidavit of petitioner filed along with transfer petition and also counter-affidavit of respondent. As seen from the material papers, wife already filed M.C. before Judicial First Class Magistrate, Pattikonda and 498-A case is also pending in Pattikonda Court and respondent herein is attending Pattikonda Court in connection of these two cases. From the submissions of advocate for petitioner, distance between Kurnool and Pattikonda is about 120 KMs and when respondent is attending Pattikonda Court without any complaint, the contention that he apprehends some danger at Kurnool is not well founded.

6. Admittedly, petitioner is a house wife and she has no source of income, considering the reasons stated in her affidavit and also considering her convenience, and also considering the fact that respondent is already attending Pattikonda Court in connection of maintenance case and 498-A case, O.P.No.1003 of 2014 is withdrawn from Family Court, Ranga Reddy and transferred to Family Court, Kurnool for disposal in accordance with law.

7. Accordingly, Transfer Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 21.04.2015.

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