

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.631 of 2013

Date:11.03.2015

Between:

Smt. B. Nirmala

... Petitioner.

AND

B. Rama Rao

...Respondent.

The Court made the following:

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.631 of 2013

ORDER:

This petition is filed to withdraw HMOP.No.3/2013 from Principal Senior Civil Judge, Chittoor and transfer to any other competent Court at Khammam.

2. Wife filed her affidavit in support of the petition and according to her affidavit, her marriage was performed on 15-03-1998 at Khammam and she was blessed with one female and male child. She stated that she was subjected to mental and physical cruelty and she is residing separately due to differences at Khammam and that she has no financial capacity to meet the travel expenses from Khammam to Chittoor to defend HMOP No.3/2013. She stated that she has no male assistance to escort her from Khammam to Chittoor. She contended that H.M.O.P.No.3/2013 is filed only to harass her and prayed for transfer of O.P from Chittoor to Khammam.

3. Respondent in spite of taking time for filing counter, no counter is filed disputing the affidavit averments of the petitioner.

4. Heard arguments.

5. According to petitioner, husband filed H.M.O.P.No.3/2013 for divorce with false and untenable allegations and to defend the same, it is difficult for her to travel from Khammam to Chittoor. It is also contended that petitioner is living at Khammam along with her children and that she has no financial support and by considering the convenience of the wife, HMOP No.3/2013 may be transferred from Chittoor to Khammam.

5. I have perused the material papers filed along with Tr.CMP and also affidavit of the petitioner.

6. The contents of the affidavit of petitioner remained unrebutted as no counter is filed on behalf of the respondent-husband. Therefore, considering the convenience of the wife and for the reasons stated in the affidavit, HMOP No.3/2013 is withdrawn from Principal Junior Civil Judge, Chittoor and transferred to Family Court, Khammam for disposal in accordance with law.

7. Petition is ordered accordingly. No costs.

JUSTICE S. RAVI KUMAR

Date:11.03.2015

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