

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.453 of 2014

ORDER:

This petition is filed to withdraw O.P.No.31 of 2014 from the file of Senior Civil Judge, Medak, and transfer the same to Family Court, Srikakulam.

2. Wife filed this petition contending that due to harassment she is living with her parents since 2012 and she has a life threat at Medak. She further contended that it is difficult for her to travel from Srikakulam to Medak with a small child. Therefore, considering her convenience, she prayed for transfer of O.P.No.31 of 2014 from Medak to Srikakulam.

3. Respondent filed counter-affidavit disputing all the affidavit averments of petitioner and he contended that he has a life threat at Srikakulam in the hands of petitioner and her family members. He further contended that family members of petitioner are highly influential in the area of Srikakulam and that he is ready to bear the expenses of petitioner for each and every adjournment. He also contended that it is difficult for him to get leave because of employment and that he would cooperate with the Court for speedy disposal of the case and prayed for dismissal of transfer C.M.P.

4. Heard both sides.

5. Both advocates submitted their arguments supporting respective contentions of their clients.

6. I have perused the material papers including the affidavit and counter-affidavit of the parties. As seen from the material, on the complaint given by father of petitioner, respondent herein was suspended. From the submissions of advocate for respondent, respondent herein approached Tribunal and the suspension orders are stayed and he is continuing his service. Considering the facts

and circumstances and also allegations and counter allegations of both parties, I feel that a place other than Srikakulam would be appropriate for disposal of O.P.No.31 of 2014 filed by respondent.

7. For these reasons, O.P.No.31 of 2014 is withdrawn from Senior Civil Judge, Medak and transferred to Family Court, Visakhapatnam, for disposal in accordance with law. Family Court, Visakhapatnam shall dispense with the presence of respondent herein for each and every adjournment. However, he shall appear as and when his physical presence is necessary for any specific purpose. Further, Family Court, Visakhapatnam, shall dispose of O.P.No.31 of 2014 within six months from the date of receipt of records.

8. Accordingly, transfer C.M.P. is disposed of. No costs.

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

S. RAVI KUMAR, J

26th March 2015.

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