

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.500 of 2014

ORDER :

This petition is filed to withdraw M.O.P.No.31 of 2014 from the file of Principal Senior Civil Judge, Kurnool, and transfer the same to Family Court, City Civil Court, Hyderabad.

2. Petitioner-wife filed this petition contending that their marriage was performed on 18.11.2010 and both of them lived together at Penchakalapadu Village, Gudur Mandal, Kurnool District, but due to differences, they are now living separately. According to petitioner, she is not keeping good health and it is difficult for her to travel from Hyderabad to Kurnool for the purpose of O.P.No.31 of 2014 and by considering her convenience and the fact that she is not able to maintain herself and the minor boy, she prayed for transfer of M.O.P.No.31 of 2014 from Principal Senior Civil Judge, Kurnool, to Family Court, Hyderabad.

3. Respondent-husband opposed the petition and according to his counter, there are no valid grounds for transfer of the case and the affidavit filed in support of transfer C.M.P. is vague and not convincing.

4. Heard both sides.

5. Advocate for petitioner submitted that petitioner has got a two years old boy and it is difficult for her to travel

with that boy to Kunrool from Hyderabad to defend the O.P. and she is also not in a position to meet the travel expenses.

6. Other side advocate contended that except one line in the affidavit no specific grounds are urged for transfer, therefore, the request of the wife cannot be considered.

7. I have perused the material papers filed along with transfer C.M.P. and also counter. Admittedly, husband is an employee working in Army. Considering the convenience of the wife, I feel that request of wife has to be considered by directing the Court, to which M.O.P.No.31 of 2014 is going to be transferred, to dispose of the same within stipulated time by dispensing with the presence of respondent-husband for each and every adjournment.

8. Accordingly, transfer C.M.P. is allowed and marriage O.P.No.31 of 2014 is withdrawn from Principal Senior Civil Judge, Kurnool and transferred to Family Court, City Civil Court, Hyderabad, for disposal in accordance with law. Family Court, City Civil Court, Hyderabad, shall dispose of O.P.No.31 of 2014 within eight months from the date of receipt of records by dispensing with the presence of respondent-husband herein for each and every adjournment. However, he shall appear as and when his physical presence is necessary for any specific purpose. No costs.

9. Miscellaneous Petitions, if any, shall stand closed.

S. RAVI KUMAR, J

9th February 2015.

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