

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No.624 of 2015

ORDER:

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This petition is filed by the petitioner/wife to transfer DOP.No.376 of 2015 filed by the respondent/husband pending on the file of Principal District Judge, Guntur to the Family Court (III Additional District Judge) at Warangal.

The case of the petitioner is that her marriage was performed with the respondent on 30-01-2005 as per Christian customs in the presence of both side elders at Kazipet Railway function hall, Diesel colony, Warangal District and they lead happy marital life for a period of three months and due to their wedlock, they were blessed with a female children, now aged six years. The respondent instead of bearing the expenditure harassing the petitioner for additional dowry. As such, the petitioner made a complaint and the same was registered in Cr.No.168 of 2009 for the offences under Sections 498-A , 324 IPC and Section 3 and 4 of Dowry Prohibition Act. As the respondent wa not maintaining the petitioner, the petitioner also filed MC.No.8 of 2015, which is pending on the file of Family Court at Warangal and the petitioner also filed DVC.No.6 of 2015, which is pending on the file of Judicial Magistrate of First Class, Warangal, under Section 12 of Protection of Women from Domestic Violence Act. Thereafter, the respondent filed DOP.No.376 of 2015 under Section 32 of Indian Divorce Act, 1869. The petitioner states that she is living at her parents house at Warangal and being lady, it is difficult to travel for her to travel from Warangal to Guntur to attend the proceedings in DOP.No.376 of 2015 and seeks transfer.

Though notice is served, there is no appearance for the respondent and no counter affidavit is filed.

Learned counsel for the petitioner filed proof of service vide USR.No.6574 of 2015. Since the averments made by the petitioner in the

affidavit in support of transfer are uncontroverted, since M.C. and D.V.C. filed by her are pending at Warangal and since the petitioner states that she has no male assistance and unable to travel to attend the proceedings in DOP.No.376 of 2015, I deem it proper to transfer DOP.No.376 of 2015 pending on the file of Principal District Judge, Guntur to Family Court (III Additional District Judge) at Warangal.

Accordingly, the Transfer CMP is allowed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

19-11-2015

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