

THE HON'BLE SRI JUSTICE A. RAJASHEKER REDDY

TR. C.M.P. No. 564 of 2015

ORDER:

The present Tr. C.M.P. is filed seeking to transfer F.C.O.P.No.289 of 2015 from the file of the Additional Family Court, City Civil Court, Hyderabad to the Family Court at Mahaboobnagar, Mahaboobnagar District.

The case of the petitioner is that her marriage with the respondent was solemnized on 01.12.2013 as per Hindu rites and customs, and after the marriage, they lived happily for two months, and thereafter, the respondent and his parents started harassing her for additional dowry, and ultimately, they necked out her from the matrimonial home in the month of March, 2014. Then, she lodged a complaint with Women Police Station, Mahaboobnagar, against the respondent and his family members and the same was registered as Crime No.13 of 2014 for the offences punishable under Section 498-A IPC and Sections 4 and 6 of the Dowry Prohibition Act. After completion of investigation, the police filed charge sheet which was numbered as C.C.No.957 of 2014 and it is pending. She also filed M.C.No.31 of 2014 on the file of the Judicial Magistrate of First Class at Kodangal for grant of maintenance. It is also the case of the petitioner that only with a view to take vengeance against her, with false allegations the respondent filed F.C.O.P.No.289 of 2015 on the file of the Additional Family Court, City Civil Court, Hyderabad, for grant of a decree of nullity of the marriage. It is stated that the petitioner is an illiterate and she cannot attend the Court at Hyderabad without any male assistance and that she being a poor lady, it is very difficult for her to attend the Court at Hyderabad. Hence, the present Tr.C.M.P.

Though a notice was served on the respondent, there is no appearance on his behalf.

Heard the learned counsel for the petitioner.

In view of the averments made in the affidavit filed in support of the Tr.C.M.P. and in the facts and circumstances of the case, I am of the opinion that the F.C.O.P.No.289 of 2015 be withdrawn and transferred from the file of the Additional Family Court, City Civil Court, Hyderabad to the Family Court at Mahaboobnagar, Mahaboobnagar District.

Accordingly, the Tr.C.M.P. is allowed. There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in the Tr.C.M.P. shall stand dismissed.

A. RAJASHEKER REDDY, J.

2nd November, 2015

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