

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.477 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.24 of 2014 from the file of Senior Civil Judge, Razole and transfer the same to Family Court, City Civil Court, Hyderabad for disposal in accordance with law.

2 . Petitioner herein is wife and she filed her affidavit in support of transfer petition, according to which, her marriage with respondent was performed on 06.05.1993 in Razole and due to harassment she filed DVC No.28 of 2014 before XIX Metropolitan Magistrate, Kukatpally, Ranga Reddy District and the same is pending. She stated that her son is studying Aeronautical Engineering at Hyderabad and her daughter is studying Intermediate in Chaitanya Junior College at Hyderabad and that it is difficult for her to attend before Senior Civil Judge, Razole for the purpose of defending O.P. No.24 of 2014 filed by husband and that she cannot afford travel expenses from Hyderabad to Razole. For these reasons, she prayed for transfer of O.P.No.24 of 2014 from Razole to Hyderabad.

3. Respondent has not filed any counter disputing the affidavit averments of petitioner.

4. Heard both sides.

5 . Advocate for petitioner submitted that petitioner being a lady it is difficult for her to travel from Hyderabad to Razole and her children are studying at Hyderabad and by taking her convenience into consideration O.P. may be transferred from Razole to Hyderabad.

6 . Advocate for respondent submitted that respondent is working at Calcutta and it is difficult for him to attend Hyderabad. He further submitted that earlier, wife gave

498-A complaint and police filed final report and there was family counselling and wife and husband are residing separately since 2006.

7. I have perused the material papers filed along with transfer O.P. Admittedly, respondent/husband is working at Kolcutta and he has to attend even Razole Court from Kolcutta, therefore it makes no difference if it is transferred from Razole to Hyderabad, on the other hand it is difficult for wife to travel all the way from Hyderabad to Razole for the purpose of defending O.P No.24 of 2014. Here, respondent is already attending Kukatpally Metropolitan Magistrate Court in connection of DVC No.28 of 2014 , therefore, I feel that the request of wife can be considered.

8. For these reasons, O.P.No.24 of 2014 is withdrawn from the file of Senior Civil Judge, Razole and transferred to Family Court, City Civil Court, Hyderabad for disposal in accordance with law. Family Court, Hyderabad 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.

9. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 30-04-2015

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