

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.583 of 2014

ORDER:

This petition is filed to withdraw H.M.O.P.No.20 of 2014 from the file of Senior Civil Judge, Rayachoti and transfer the same to Senior Civil Judge, Tirupati, Chittoor District.

2. Petitioner herein is wife and she filed her affidavit in support of the petition, according to which, due to harassment she is living separately with her husband at Tirupati and she also lodged a complaint with Tirupati Women Police Station, on the basis of which, Crime No.34 of 2014 is registered for offences under Sections 498-A, 324 IPC and Section 3 & 4 of Dowry Prohibition Act. She further contended that she is prosecuting M.Sc, 5 years integrated Course in Bio-Technology at Padmavathi Mahila University, Tirupati, therefore it is difficult for her to attend the Court at Rayachoti, Kadapa District to defend H.M.O.P No.20 of 2014. She also stated that husband has to attend for criminal case at Tirupati, therefore considering the same, she prayed for transfer of H.M.O.P.No.20 of 2014 from Rayachoti, Kadapa to Tirupati, Chittoor District.

3. Respondent in spite of service of notice neither appeared in person nor through any advocate.

4. Heard arguments.

5. As seen from the record, respondent/husband filed the above referred H.M.O.P.No.20 of 2014 for dissolution of marriage and petitioner/wife lodged a complaint with the police for offences

under Section 498-A IPC and also for offence under D.P.Act. Transfer of H.M.O.P is sought only on the ground of convenience of wife and affidavit averments of wife remained un-challenged.

6. Considering the reasons stated in the affidavit, which remained un-rebutted and also considering the convenience of wife, H.M.O.P. No.20 of 2014 is withdrawn from the file of Senior Civil Judge, Rayachoti, Kadapa District and transferred to Family Court, Tirupati, Chittoor District for disposal in accordance with law.

7. Accordingly, this Transfer Miscellaneous Petition is allowed. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 20-02-2015
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