

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.826 OF 2014

-

ORDER:

This transfer petition is filed seeking transfer of OP No.1703 of 2014 pending on the file of Family Court, Rangareddy District at L.B.Nagar to the Court of Principal Senior Civil Judge at Kakinada.

The case of the petitioner is that her marriage with the respondent was performed on 03.08.2012 at Railway Kalyana Mandapam, Samalkot, East Godavari District as per Hindu rites and customs; that after the marriage the respondent started harassing the petitioner demanding additional dowry and that ultimately the petitioner was necked out from the matrimonial home on 29.05.2013. As the petitioner has no other go she is staying at Samalkot, East Godavari District along with her parents. Meanwhile, the respondent filed OP.No.1703 of 2014 on the file of the Family Court, Ranga Reddy District at L.B.Nagar seeking dissolution of the marriage. It is also stated that after receipt of notice in the aforesaid OP, though the petitioner's parents requested the respondent to withdraw the OP and to allow the petitioner to join in matrimonial home, the respondent and his family members threatened petitioner's parents saying that if the petitioner contested the matter or if she appeared before the Court, they would see petitioner's end. The grievance of the petitioner is that it is very difficult for her to travel all the way from Salmalkot to Ranga Reddy on every date of hearing without any male assistance as her father became old and also apprehend danger to her life as being threatened by the respondent herein and that it involves both physical and financial burden. As such, the petitioner sought transfer of OP.No.1703/2014 from the Family Court,

Rangareddy District at L.B.Nagar to the Principal Senior Civil Judge at Kakinada.

The respondent filed counter affidavit denying all the allegations made in the petition and also stated that he has threat from the petitioner and her family if the OP is transferred to Kakinada and also stated that he has no objection if the OP is transferred to Rajahmundry which is a convenient place for both the parties.

Heard both sides who reiterated the submissions in tune with their pleadings.

In the instant case it has to be seen that the learned counsel for the respondent submitted that there is no objection for the respondent if the OP is transferred to the Family Court at Rajahmundry and that it would be convenient to the petitioner as well. It is further stated that the distance between Rajahmundry and Kakinada is about 50 K.Ms, and as such, the Family Court, Rajahmundry, is only 50 K.Ms away from Kakinada where the petitioner is staying. In view of the submissions made, I deem it proper to transfer OP.No.1703 of 2014 pending on the file of Family Court, Rangareddy District at L.B.Nagar to the Family Court at Rajahmundry.

Accordingly, the Tr.CMP is allowed and the OP.No.1703 of 2014 pending on the file of Family Court, Rangareddy District at L.B.Nagar is transferred to the Family Court, Rajahmundry. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall stand closed.

09.12.2015
t k

A.RAJASHEKER REDDY, J