

**HON'BLE SRI JUSTICE A.RAJASHEKER REDDY**

**Tr.C.M.P.No.544 of 2014**

**ORDER:**

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This petition is filed to withdraw the OP.No.536 of 2014 from the file of Family Court, Ranga Reddy District and transfer the same to the Court of Senior Civil Judge, Bhimavaram, West Godavari District.

The case of the petitioner is that the marriage of the petitioner was performed with the respondent on 26-05-1994 at Pennada, Palakoderu Mandal, West Godavari District. The respondent filed O.P.No.536 of 2014 before Family Court, Ranga Reddy District at L.B.Nagar against the petitioner for restitution of conjugal rights under Section 9 of Hindu Marriage Act and said case is posted for appearance of petitioner on 12-09-2014. The respondent also filed O.P.No.20 of 2010 on the file of Senior Civil Judge, Bhimavaram for the same relief and the same was dismissed as withdrawn on 23-07-2012. Later, he filed O.P.No.536 of 2014 on the file of Family Court. It is further stated that the petitioner also filed M.C.No.19 of 2010 against the respondent on the file of II Additional Judicial Magistrate of First Class, Bhimavaram and it was also allowed. The petitioner also filed D.V.C. No.15 of 2011 against the respondent. Both cases are pending on the file of II Additional Judicial Magistrate of First Class, Bhimavaram. During the pendency of M.C.19 of 2010, the respondent herein filed Tr.Crl.P.No.347 of 2011 before this Court for transfer of the same to Family Court, Hyderabad and the same was dismissed on 13-04-2012.

It is further stated that the petitioner has no male assistance to travel from Bhimavaram to Hyderabad for defending OP.No.536 of 2014 filed by the respondent, which is more than 400 Kms and sought for transfer of the same to the Court of Senior Civil Judge, Bhimavaram.

Though notices are ordered, but the respondent refused to receive the

same. As such notice is deemed to be served.

In view of the averments made in the affidavit which are unrebutted and in view of the facts and circumstances stated by the petitioner, I deem it appropriate to transfer OP.No.536 of 2014 pending on the file of Family Court, Ranga Reddy District to the Court of Senior Civil Judge, Bhimavaram, West Godavari District.

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

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**A.RAJASHEKER REDDY,J**

02-11-2015

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