

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No.631 of 2015

ORDER:

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This petition is filed by the petitioner/wife for transfer of O.P.No.5 of 2014 filed by the respondent/husband for restitution of conjugal rights pending on the file of Senior Civil Judge's Court, Sathupalli, Khammam District to the Family Court, Ranga Reddy District at L.B.Nagar.

The case of the petitioner is that the marriage of the petitioner was performed with the respondent on 23-04-2006 as per Hindu rites and customs. Out of their wedlock, they were blessed with one female child and thereafter, the respondent filed O.P.No.5 of 2014 on the file of Senior Civil Judge, Sathupalli for restitution of conjugal rights and the respondent married another woman on 20-08-2014 at Jangareddygudem suppressing the marriage with the petitioner. The respondent and his brother assaulted them. On that the petitioner complained against her husband and his brother Kishore in the Jangareddygudem Police Station and though the police called him, they have not initiated any action against them. The petitioner has daughter of nine years old and as such, she is unable to attend the Court at Sathupalli and there is threat to life of the petitioner.

Though notice is sent and served, no counter is filed and there is no appearance by the respondent.

The averments made in support of the Transfer petition, which are referred supra, are uncontroverted by the respondent. The averments goes to show that the petitioner has nine years old daughter and residing at Secunderabad and it is difficult to travel all the way from Secunderabad to Sathupally to defend the OP filed by her husband.

In view of above facts and circumstances of the case, the Transfer CMP is allowed. Though the petitioner has given address at Secunderabad, she seeks transfer to Ranga Reddy District. Learned counsel for the petitioner on instructions states that O.P. can be transferred to Family Court at Secunderabad. As such, O.P. No.5 of 2014 is withdrawn from the file of Senior Civil Judge's Court, Sathupalli, Khammam District and transferred to Family Court, Secunderabad.

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

A.RAJASHEKER REDDY,J

02-12-2015
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