

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.443 of 2014

ORDER :

This petition is filed to transfer marriage O.P.No.63 of 2012 from the file of Additional Senior Civil Judge, Eluru, West Godavari District, to Senior Civil Judge, Rajam, Srikakulam District.

2. Wife is petitioner and she filed her affidavit, according to which, their marriage was performed on 22.04.2004 and due to harassment, she is living separately with her parents at Rajam in Srikakulam District. She contended that she filed M.C.No.25 of 2012 before Judicial First Class Magistrate, Rajam and respondent is attending the said Court, but he filed O.P.No.63 of 2012 before Additional Senior Civil Judge, Eluru, for restitution of conjugal rights and it is difficult to her to attend the Court at Eluru to defend O.P. She further stated that she is apprehending danger at Eluru. For these reasons, she prayed for transfer of O.P. from Eluru to Rajam.

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

4. Heard arguments.

5. Considering the reasons stated in the affidavit and also the fact that husband is already attending the Court at Rajam in connection of M.C.No.25 of 2012, I am of the

view that O.P. before Additional Senior Civil Judge, Eluru, West Godavari District, can be withdrawn and transferred to Senior Civil Judge, Rajam, while taking into consideration convenience of the wife.

6. For these reasons, marriage O.P.No.63 of 2012 is withdrawn from Additional Senior Civil Judge, Eluru, West Godavari District and transferred to Senior Civil Judge, Rajam, Srikakulam District, for disposal in accordance with law. The Senior Civil Judge, Rajam, shall dispose of this case within eight months from the date of receipt of the records.

7. Accordingly, transfer C.M.P. is allowed. No costs.

8. Miscellaneous Petitions, if any, shall stand closed.

S. RAVI KUMAR, J

6th February 2015.

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