

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.503 of 2015

ORDER:

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This petition is filed to transfer O.P.No.1074 of 2015 pending on the file of Judge, Family Court, Ranga Reddy at L.B.Nagar, Hyderabad to the Court of Senior Civil Judge, Mangalagiri, Guntur District.

The case of the petitioner is that her marriage was performed with the respondent on 15-05-2014 at Medampalli Village, Giddalur Mandal, Prakasam District. Both of them lived happily for a period of two months at Hyderabad and later the respondent along with her parents and sisters started harassment for additional dowry. As such, the petitioner unable to bear the torture and has no other go, filed a complaint under Section 498-A IPC, which was registered as Cr.No.195 of 2015 and she also filed D.V.C. It is also stated that the petitioner also filed another complaint, as the respondent assaulted her and caused hurt, which was registered as Cr.No.200 of 2015 of Nagarampalem Police Station for the offences under Sections 323, 506, 509 read with Section 34 IPC. Thereafter, the respondent filed O.P.No.1074 of 2015 for grant of divorce before the Judge, Family Court, Ranga Reddy District.

The case of the petitioner is that she is unable to travel all the way from Tadepally to Hyderabad, which is at a distance of 400 Kms and she has no finance and she is dependant on her father, who is a daily wage cooli.

Heard learned counsel for the petitioner, who submits that DVC and two criminal cases are pending within the jurisdiction of Senior Civil Judge, Tadepally. She further submits that there is also threat to the life of the petitioner.

It is to be seen that in this case already D.V.C.case and two criminal cases are pending stated supra are pending within the jurisdiction of Tadepally and the petitioner also residing at Tadepally at her parents. The petitioner states that she is unable to travel all the way from Tadepally to Ranga Reddy, as she has no finance and depending on her father, who is a cooli. Apart from that, the respondent has to attend criminal cases, though criminal quash petitions are pending as on today. In view of the Apex Court judgment of **Sumita Singh v.Kumar Sanjay and another**^[1] held that in considering transfer petitions in matrimonial proceedings, convenience of a wife be looked into.

In view of the above facts and circumstances of the case, I am of the view

that OP.No.1074 of 2015 pending on the file of Family Court, Ranga Reddy at L.B.Nagar is liable to be transferred to Senior Civil Judge's Court, Mangalagiri, Guntur District.

Accordingly, the Transfer CMP is allowed. However, the Senior Civil Judge, Mangalagiri shall not insist the presence of respondent on every adjournment except for conciliation proceedings and cross-examination and as and when required by the Court.

Miscellaneous petitions pending, if any, in the Tr.CMP. shall stand closed.

A.RAJASHEKER REDDY,J

15-12-2015
Nvl

^[1] AIR 2002 SC 396