

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION Nos.799 & 802 of 2014

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COMMON ORDER:

These petitions are filed to withdraw O.P.Nos.10 of 2014 and 11 of 2014 respectively from the file of Family Court, Sangareddy, Medak District and transfer the same to Family Court, Hyderabad for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of petition, according to which, her marriage was performed with respondent on 16.11.1997 at Hyderabad and during wedlock, they are blessed with two children i.e., Akhila Tejaswini, aged 15 years and Phanish Kumar, aged 14 years respectively. She stated that she is resident of Hyderabad and she filed O.P.No.464 of 2012 for restitution of conjugal rights and the same was ordered in her favour on 05.07.2014, but respondent has not complied with the orders of Court and that she filed I.A.No.145 of 2013 seeking interim maintenance and Court granted interim maintenance also. She further stated that respondent intentionally filed these two O.Ps., one for dissolution of marriage and the other for custody of children only to harass her, and it is difficult for her to travel from Hyderabad to Sangareddy, which is a distance of nearly 70 KMs from Hyderabad. She further contended that respondent is attending DVC No.92 of 2014 pending before III Metropolitan Magistrate, Erramanzil, and for these reasons, she prayed for transfer of these two O.Ps from Family Court, Sangareddy, Medak District to Family Court, Hyderabad.

3. Respondent/husband in spite of service of notice in TrCMP No.802 of 2014, neither appeared in person nor through any advocate.

4. Heard arguments.

5. I have perused the material papers filed along with these two transfer O.Ps. As seen from the record, respondent has received notice in one transfer O.P., as the both matters are filed simultaneously and notices are also issued simultaneously and he did not choose to appear. Therefore, considering the reasons stated in the

affidavit and considering the convenience of wife and also considering the fact that respondent herein is attending Hyderabad Court in connection of DVC case, O.P.Nos.10 of 2014 and 11 of 2014 are withdrawn from the file of Family Court, Sangareddy, Medak District and transferred to Additional Family Court, Hyderabad for disposal in accordance with law.

6. Accordingly, these Transfer Miscellaneous Petitions are ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 22.04.2015.

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