

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.781 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.674 of 2012 from the file of Family Court, Ranga Reddy and transfer the same to Senior Civil Judge, Kothagudem, Khammam District.

2. Petitioner herein is wife and she filed her affidavit in support of the petition, according to which, her marriage with respondent was performed on 08.04.2012 and she was subjected to cruelty, and she is now residing at her parents' house. She further stated that she filed a criminal complaint against respondent/husband and the same is pending as Crime No.9 of 2011 before Judicial First Class Magistrate, Bhadrachalam and he is attending in connection of that case. She also stated that she filed M.C.No.27 of 2012 before Judicial First class Magistrate, Bhadrachalam against respondent herein. She contended that present O.P is filed only to harass her and she has no means to maintain herself and she apprehends danger in the hands of respondent/husband at Ranga Reddy. She further stated that she has no relatives at Hyderabad and it is difficult for her to travel a distance of 480 KMs from her native place to defend O.P., for these reasons, she prayed for transfer of O.P. No.674 of 2012 from Family Court, Ranga Reddy to Senior Civil Judge Court, Kothagudem.

3. Respondent/husband filed counter-affidavit disputing the affidavit averments of petitioner and most of the counter

allegations are in respect of merits of O.P.No.674 of 2012 and criminal case.

4. Heard arguments.

5. There is no dispute with regard to cases filed against each other. Advocate for petitioner submitted that M.C. filed by wife/petitioner is already disposed of and maintenance is granted to the wife, but the criminal case is still pending before Judicial First Class Magistrate, Bhadrachalam and the respondent/husband is attending in the said case. He submitted as wife apprehends danger to her life at Ranga Reddy and also it is difficult for her to travel 480 KMs from her village for defending O.P.No.674 of 2012, her request for transfer may be considered.

6. Considering the contentions and rival contentions of both parties and also considering the fact that respondent/husband is already attending Bhadrachalam Court in connection of Criminal case, I feel that O.P No.674 of 2012 can be transferred from Family Court, Ranga Reddy by taking convenience of wife into consideration.

7. For these reasons, O.P No.674 of 2012 is withdrawn from the file of Family Court, Ranga Reddy and transferred to Senior Civil Judge, Kothagudem, Khammam District.

8. Accordingly, this Transfer Miscellaneous Petition is allowed. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 02-03-2015

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