

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.490 OF 2015

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ORDER:

This transfer petition is filed to transfer OP.No.53 of 2015 on the file of I Senior Civil Judge, Guntur to the Court of Senior Civil Judge, Kottagudem, Khammam.

The case of the petitioner is that her marriage with the respondent was performed on 21.05.2011 at Machinenipet Village, Julurupadu Mandal, Khammam District; but however they have no children. She further stated that after five months of the marriage the respondent and his family members started harassing her for not getting pregnancy and for additional dowry; that when their parents visited her matrimonial home on 11.04.2014, the respondent and her family members threatened them and behaved ferociously and as such, there is a severe threat to the petitioner's life and her family members and that it is not at all safe to attend the proceedings at Guntur in OP.No.53 of 2015 filed by the respondent seeking divorce. It is further stated that the petitioner is residing with her parents at Bhadrachalam and it is very difficult for her to attend the court proceedings at Guntur which is 240 kilo meters away from Bhadrachalam, along with her parents or her brother and that her father is not in a position to give her financial support to pursue the case at Guntur. It is also stated that she already filed MC.No.32 of 2015 on the file of JFCM, Bhadrachalam, and as such, she filed the present transfer petitioner seeking transfer of OP.No.53 of 2015.

The respondent filed counter affidavit denying all the averments in the petition and also stated that medical checkups revealed that there is no scope for the petitioner to get pregnancy and though the said fact is known to the petitioner and her parents before marriage itself, their marriage was performed by suppressing the said fact. He further stated that the petitioner is residing

with her parents at Bhadrachalam; that after receipt of notices in OP.No.53/2015, the petitioner filed maintenance case at Bhadrachalam and that after filing of OP.53/2015 when he visited the petitioner's house at Bhadrachalam he was manhandled by her paternal uncles, as such, if the said OP is transferred to Kothagudem there is danger to his life. It is also stated that on the same ground he has also filed Tr.Crl.P No.228/2015 before this Court seeking transfer of MC.No.32/2015 on the file of JFCM, Bhadrachalam to any other competent Court at Guntur.

Heard both sides.

At the time of hearing, counsel for both the parties submitted that OP.No.53/2015 on the file of I Senior Civil Judge, Guntur can be transferred to the Family Court at Khammam. In view of the submission made by both the counsel and in view of the aforesaid facts and circumstances, OP.No.53/2015 is withdrawn from the file of I Senior Civil Judge, Guntur, Guntur district and transferred to the Family Court at Khammam. The respondent shall bear the expenditure of the petitioner to attend the Court proceedings at Khammam for which the petitioner can file appropriate application before the concerned Court.

Accordingly, the Transfer petitioner is disposed of. No costs. As a sequel thereto, miscellaneous petitions, if any pending shall stand closed.

A.RAJASHEKER REDDY, J

05.11.2015

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