

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP. No.756 of 2014

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ORDER:

This petition is filed to withdraw O.P.No.438 of 2014 from Family Court, Secunderabad and transfer the same to Family Court, Visakhapatnam.

2. Wife filed this application. According to her affidavit, her marriage was performed with respondent on 27.08.2010 and that she was necked out from marital home, since then, she is staying with her parents. She stated that she filed D.V.C.No.41 of 2011 and the same is pending before the III Additional Metropolitan Magistrate, Visakhapatnam, and she also lodged a complaint against respondent for which police filed charge sheet for an offence under Section 498-A IPC and the same is pending as C.C.No.639 of 2012 before the I Additional Chief Metropolitan Magistrate, Visakhapatnam. It is further stated that respondent has been attending for these two cases regularly. It is stated that respondent, as a counter blast, filed O.P.No.438 of 2014 before the Family Court, Secunderabad and that distance between Secunderabad and Visakhapatnam is more than 600 K.Ms. and she is unable to undertake such long journey as she has no one to escort. She further stated that she also has life threat at Secunderabad and that respondent even threatened her when she appeared before the Secunderabad Court in connection of this O.P. and insisted her to withdraw criminal cases. She further stated that she is not in a position to meet the travel expenses to defend O.P.No. 438 of 2014 and on these grounds, she prayed for transfer of

O.P.

3. Respondent in spite of service of notice neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit and also considering the fact that respondent is already attending Visakhapatnam Court in connection of D.V.C.No.41 of 2011 and C.C.No.639 of 2012, O.P.No.438 of 2014 on the file of Family Court, Secunderabad, is withdrawn and transferred to Family Court, Visakhapatnam for disposal in accordance with law.

6. The petition is, accordingly, ordered. No order as to costs.

7. As a sequel, miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE S. RAVI KUMAR

Date:17.04.2015

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