

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.191 of 2013

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ORDER:

This petition is filed to withdraw F.C.O.P.No.1266 of 2012 from the file of V Additional District Judge-cum-Family Court, Visakhapatnam and transfer the same to III Additional Senior Civil Judge, Kakinada or to any other Court having competent jurisdiction in Kakinada for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of transfer petition, according to which, her marriage with respondent was performed on 25.01.2007 and she was harassed by respondent and she was necked out from the house and from September, 2009 she is residing at her parents' house in Kakinada. She further stated that she filed M.C.No.28 of 2010 for maintenance and the same is pending before IV Additional Judicial First Class Magistrate, Kakinada. She further stated that respondent/husband in order to harass her, filed O.P.No.1266 of 2012 before Family Court, Visakhapatnam and it is difficult for her to travel from Kakinada to Visakhapatnam with her daughter, who is studying UKG in Kakinada and there is no other persons to look after her daughter in her absence. She further stated that there is a threat for her life in the hands of respondent at Visakhapatnam, and for these reasons, she prayed for transfer of O.P.No.1266 of 2012 from Family Court, Visakhapatnam to III Additional Senior Civil Judge, Kakinada or to any other competent Court at Kakinada.

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 M.C.No.28 of 2010 filed by petitioner/wife is pending before Kakinada Court and that respondent/husband is attending for defending the said case, F.C.O.P.No.1206 of 2012 is withdrawn from the file of V Additional

District Judge-cum-Family Court, Visakhapatnam and transferred to III Additional Senior Civil Judge, Kakinada for disposal in accordance with law.

6. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 20-04-2015

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