

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.823 of 2014

ORDER:

This petition is filed to withdraw F.C.O.P.No.1058 of 2013 from the file of Family Court, Visakhapatnam, and transfer the same to Family Court, Kakinada, East Godavari District.

2. Wife filed this petition and according to her affidavit, her marriage was performed with respondent-husband on 18.08.2002 and as she was subjected to harassment, having no other alternative, she went to her parent's house and staying there. She stated that she gave a complaint to police and the same is registered as C.C.No.320 of 2014 and that she also filed a case under Domestic Violence Act, which is pending as D.V.C.No.19 of 2014 before V Additional Judicial Magistrate of First Class, Kakinada. She also stated that she filed M.C.No.68 of 2014 and the same is pending before V Additional Judicial Magistrate of First Class, Kakinada. She stated that it is difficult for her to travel from Kakinada to Visakhapatnam, which is at a distance of 250 kms., for each and every adjournment with two small daughters. She further stated that she has no relatives to provide shelter to her at Visakhapatnam at the time of attending Family Court, Visakhapatnam, and for these reasons, she prayed for transfer of F.C.O.P.No.1058 of 2013 from Visakhapatnam to Kakinada.

3. Respondent in spite of service of notice neither appeared in person nor through any advocate.
4. Heard advocate for petitioner.
5. Advocate for petitioner submitted that respondent herein is attending Kakinada Court in connection of criminal case, D.V.C. case and M.C. and there may not be any inconvenience for respondent if this F.C.O.P.No.1058 of 2013 is transferred to Kakinada. He further submitted as there is no Family Court at Kakinada, therefore, F.C.O.P.No.1058 of 2013 may be transferred to any Senior Civil Judge's Court at Kakinada.
6. Considering the reasons stated in the affidavit and also considering the convenience of wife and submissions of advocate for petitioner, F.C.O.P.No.1058 of 2013 is withdrawn from Family Court, Visakhapatnam, and transferred to Principal Senior Civil Judge, Kakinada, for disposal in accordance with law.
7. Accordingly, transfer C.M.P. is ordered. No costs.
8. Miscellaneous Petitions pending, if any, shall stand dismissed.

S. RAVI KUMAR, J

19th March 2015.

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