HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.562 of 2014

Dated 30th March, 2015

Between:

Rayala Rajeswari.

...Petitioner.

And:

Rayala Sridhar.

…Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.562 of 2014

ORDER:

This petition is filed to withdraw F.C.O.P.No.1401 of 2013 from Family Court, Ranga Reddy District at L.B.Nagar and transfer the same to Family Court,Khammam, Khammam District.

Wife filed this application and according to her affidavit, their marriage was performed on 27-8-2005 at Khammam and both of them lead happy marital life for a period of one year at Khammam and thereafter, due to differences, they are living separately. She contended that she lodged a police complaint and criminal case is pending at Thalada, Khammam District and she also filed maintenance case before Family Court, Khammam and the same is also pending. She further contended that it is difficult for her to travel from Khammam to Ranga Reddy as she has no financial assistance and for these reasons, she prayed to transfer the O.P. filed by her husband.

Husband filed counter disputing the affidavit averments of wife and according to counter, petitioner lodged F.I.R. against petitioner and his family members in the year 2007 and the same is pending and that he apprehends danger in the hands of petitioner and her family members at Khammam and prays for dismissal of the petition.

Heard arguments.

Advocate for petitioner submitted that respondent is already attending Khammam court in connection with M.C. and criminal case at Madhira and hence, this case may also be transferred to Khammam.

Advocate for respondent submitted that as respondent is apprehending danger at Khammam, the case may be transferred to any middle place like Suryapeta and opposed the application.

I have perused the material papers including the affidavit of the petitioner and counter of the respondent and the other documents filed along with petition and counter.

As seen from the material papers, the respondent is already attending Khammam Family Court in connection with maintenance case and no prejudice will be caused if this case is transferred to Khammam. However, in view of the apprehension of the respondent, I feel that by dispensing his physical presence in Khammam Court in respect of this case, this petition can be disposed of.

Accordingly, this petition is ordered withdrawing family Court O.P.No.1401 of 2013 from Family Court, Ranga Reddy and transferring to Family Court, Khammam for disposal in accordance with law. Family Court, Khammam shall dispense with the presence of respondent herein for each and every adjournment. However, he shall appear the court whenever his physical presence is necessary for any specific purpose.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE S.RAVI KUMAR

Dated 30th March, 2015.

Dvs

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