

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.711 of 2013

ORDER:

This petition is filed to withdraw O.P.No.100 of 2013 from the file of Senior Civil Judge, Rajahmundry, East Godavari District, and transfer the same to any Court having jurisdiction at Eluru in West Godavari District.

2. Petitioner-wife filed this petition and according to her affidavit, her marriage with respondent-husband took place on 10.05.1985 and during their wedlock two children were born and they are now prosecuting their studies. It is further stated that due to harassment, petitioner gave a complaint against respondent and police registered Crime No.361 of 2010 and the same is pending. She further stated that she filed D.V.C.No.75 of 2012 before Judicial Magistrate of First Class, Special Mobile Court, West Godavari District, Eluru, and respondent herein appeared and filed counter and in that case interim maintenance is granted to her and main case is pending. She contended that respondent intentionally filed O.P.No.100 of 2013 for dissolution of marriage before Senior Civil Judge, Rajahmundry, and she is a resident of Veerammakunta Village, Pedapadu Mandal, which is at a distance of 125 to 150 kms. and it is difficult for her to attend Rajahmundry Court for each and every adjournment. She further contended that she is a woman and that there is a danger to her life at Rajahmundry as respondent is a highly influenced person of that area. It is

further contended that respondent is contesting D.V.C. and attending Eluru Court and no prejudice would be caused to him if the O.P. is transferred to Eluru.

3. Heard arguments.

4. Advocate for petitioner submitted that petitioner suffered harassment in the hands of respondent and it is difficult for her to travel from Veerammakunta Village in West Godavari District to Rajahmundry for the purpose of defending O.P. filed by respondent herein, therefore, by considering the convenience of wife, O.P. pending before Senior Civil Judge, Rajahmundry, may be transferred to any Court at Eluru.

5. Advocate for respondent opposed and contended that there are no valid grounds to transfer. It is further submitted that all the allegations made against respondent are false and created for the purpose of transfer petition.

6. I have perused the material papers filed along with transfer C.M.P. Except making oral submissions no counter is filed by respondent in answer to affidavit of petitioner. Therefore, considering the convenience of wife, O.P.No.100 of 2013 is withdrawn from Senior Civil Judge, Rajahmundry, East Godavari District and transferred to Family Court, West Godavari District, for disposal in accordance with law.

7. Transfer C.M.P. is ordered, accordingly. No costs.

8. Miscellaneous Petitions pending, if any, shall stand dismissed.

S. RAVI KUMAR, J

13th March 2015.
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