

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.575 OF 2014

Dated 6-2-2015

Between:

Dondapati Manjusree.

...Petitioner.

And:

Dondapati Naveen Kumar alias Uma Naveen
Kumar.

...Respondent.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.575 OF 2014

ORDER:

This petition is filed to withdraw O.P.No.68 of 2014 from Additional Senior Civil Judge Court, Srikakulam and transfer the same to Senior Civil Judge Court, Kakinada.

Wife is the petitioner. She filed affidavit contending that marriage was performed on 4-8-2012 and both of them lived happily for sometime and due to differences and due to harassment, she is residing at her parents' house, Kakinada and that the husband filed O.P. for restitution of conjugal rights at Srikakulam only to trouble her. She further contended that she has no male assistance to accompany her to Srikakulam and it is difficult for her to travel all the way from Kakinada to Srikakulam and therefore, prayed for transfer of O.P. from Srikakulam to Kakinada.

Husband resisted the claim on the ground that there is a life threat for him at Kakinada. He contended on one occasion when he came to Kakiknada, he was forcibly taken by Police and he was forced to sign on agreement and therefore, it is not safe for him to go to Kakinada and he has no objection for transfer to any other place other than places in East Godavari District.

Heard advocate for petitioner.

He submitted that considering the convenience of

wife, O.P. may be transferred to Kakinada or any other nearer places like Pithapuram or Peddapuram.

Advocate for respondent opposed and submitted that in view of the threat and in view of earlier incident, it is not safe for him at Kakinada and places nearer to Kakinada. He submitted Pithapuram or Peddapuram are adjacent to Kakinada and he has no objection for any middle place.

I have perused the material papers filed along with transfer O.P.

Considering the contentions and rival contentions of both parties and also taking the apprehension of husband and earlier incident into consideration, I feel that O.P. can be transferred to a middle place where it is convenient for both parties to prosecute.

Since there is a family court at Visakhapatnam which is the middle place for Kakinada and Srikakulam, I feel, it would be appropriate to transfer the O.P. to Visakhapatnam.

For these reasons, O.P.No.68 of 2014 is withdrawn from Additional Senior Civil Judge Court, Srikakulam and transferred to Family Court, Visakhapatnam for disposal in accordance with law. No costs.

Accordingly, this Transfer C.M.P. is disposed of.

As a sequel to the disposal of this Transfer C.M.P., the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE S.RAVI

KUMAR

Dated 6-2-2015.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

-

-

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

-

-

TRANSFER C.M.P.No.575 OF 2014

Dated 6-2-2015

Dvs