

THE HONOURABLE SRI JUSTICE RAJA ELANGO

TRANSFER CRIMINAL PETITION No.70 of 2016

ORDER:

This Transfer Criminal Petition, under Section 407 of Cr.P.C., is filed by the petitioner, seeking to transfer MC No.40 of 2016, pending on the file of IX-Additional Metropolitan Magistrate-cum trial of JHCBBC-cum-Additional Family Judge, City Criminal Courts, Nampally, Hyderabad, to the Family Court, City Civil Court, Hyderabad, to try along FCOP No.1430 of 2013 and FCOP No.1245 of 2015.

Heard and perused the material available on record.

The 1st respondent is the wife of the petitioner. She filed MC No.40 of 2016 against the petitioner before the IX-Additional Metropolitan Magistrate-cum trial of JHCBBC-cum-Additional Family Judge, City Criminal Courts, Nampally, Hyderabad, seeking maintenance to herself and to her son. She also filed FCOP No.1430 of 2013 before the Family Court, City Civil Court, Hyderabad for dissolution of marriage. The petitioner filed FCOP No.1245 of 2015 before the same Court for custody of the minor child.

As seen from the record it is evident that the petitioner seeks transfer of the case within the same district, i.e. from the IX-Additional Metropolitan Magistrate-cum trial of JHCBBC-cum-Additional Family Judge, City Criminal Courts, Nampally, Hyderabad, to the Family Court, City Civil Court, Hyderabad. The petitioner has to file an application for the said relief before the District and Sessions Judge concerned.

Hence, this Transfer Criminal Petition is disposed of directing the petitioner to file an appropriate application before the District and Sessions Judge concerned, for appropriate orders. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 11, 2016.

KTL