

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.323 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.859 of 2015 from the file of Family Court, City Civil Court, Hyderabad, and transfer the same to Family Court, Khammam.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 19.03.2011 at Mekala Bishamaiah Garden, Khammam, as per Hindu rites and custom. She stated that respondent and his parents demanded for additional dowry and she was constrained to give police complaint, which is registered as F.I.R.No.6 of 2016 with Women Police Station, Khammam and that she also filed D.V.C.No.3 of 2016 before Judicial First Class Magistrate, Khammam and M.C.No.18 of 2016 before Family Court, Khammam. She further stated that respondent filed F.C.O.P.No.859 of 2015 before Family Court, Hyderabad, for dissolution of marriage. She stated that she is unable to travel from Khammam to Hyderabad with a small baby and that there are no one to escort her. For these reasons, she prayed for transfer of F.C.O.P.No.859 of 2015 from Family Court, Hyderabad, to Family Court, Khammam.

3. This Court permitted petitioner to take personal notice on respondent through his advocate on record in the lower Court and in compliance of the said order, advocate for petitioner filed memo dated 01.09.2016 stating that notice sent to advocate on record in the lower Court is duly served and filed postal acknowledgment along with

memo. In spite of service of notice on respondent's advocate, respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of petition and considering the fact that M.C. filed by wife is pending before Family Court, Khammam, F.C.O.P.No.859 of 2015 is withdrawn from Family Court, City Civil Court, Hyderabad, and transferred to Family Court, Khammam, for disposal in accordance with law.

6. Transfer C.M.P. is ordered accordingly.

7. Miscellaneous petitions pending, if any, shall stand closed.

9th September 2016.

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S. RAVI KUMAR, J

