

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P No. 451 OF 2016

ORDER:

This application is filed to withdraw O.P.No. 803 of 2016 on the file of Judge, Family Court, City Civil Courts, Hyderabad and transfer the same to Senior Civil Judge, Sattenapalli, Guntur District.

2. Wife filed this application. According to her affidavit her marriage with respondent was performed on 7.8.2009 as per Hindu Rites and Custom at Fertilizers Kalyana Mandapam, Arundelpet, Guntur District. She stated that the respondent is working in Railway Department at Hyderabad and due to disputes and harassment she is staying at her parents' house as she was not allowed to matrimonial home after the delivery of second issue. She stated that she filed M.C.No. 3 of 2015 before the First Additional Junior Civil Judge, Sattenapalli, Guntur and also lodged a complaint with Amaravathi Police Station, which is pending investigation. It is stated that respondent filed O.P before the Family Court, Hyderabad in order to harass her and distance between her place of residence and Hyderabad is more than 250 k.ms and it is difficult for her to attend

for each and every adjournment along with her minor child without any male support. Therefore, she prayed for transfer of said OP from Family Court, City Civil Court, Hyderabad to Senior Civil Judge, Sattenapalli, Guntur District.

3. Respondent filed counter disputing affidavit averments of the petitioner and contended that he is working in South Central Railway, Secunderabad and the petitioner has not shown any inclination to join him despite his best efforts and purposefully harassing him by staying with her parents and filed MC and other cases implicating his brother also. He stated that being a Government servant in Secunderabad division, it is difficult for him to travel all the way from Hyderabad to Sathenapally particularly on working days as his job comes under essential services. For these reasons he opposed transfer of OP from Family Court, City Civil Court, Hyderabad to Senior Civil Judge, Sathenapally, Guntur District.

4. Heard both sides.

5. Both sides submitted their arguments supporting the respective contentions of their clients. Admittedly, two cases are pending before Courts at Sathenapally and this is a family matter and advocate for

respondent submitted that in case of transfer, the case may be transferred to Family Court, Guntur for which place there is a direct conveyance.

6. Considering the submissions of sides, contentions and rival contentions of both parties without prejudice to the rights of both parties, O.P.No. 803 of 2016 is withdrawn from Family Court, City Civil Court, Hyderabad and transferred to Family Court, Guntur for disposal in accordance with law.

7. Petition is ordered accordingly. As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.



JUSTICE S. RAVI KUMAR

DATE: 07.09.2016.
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