

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Transfer C.M.P.No.172 of 2016

ORDER:

This application is filed to withdraw O.P.No.73 of 2015 from the Family Court – cum – Additional District Judge at Nalgonda and transfer the same to any Court at Tirupati having jurisdiction.

2. Wife filed this petition and according to her affidavit, her marriage with respondent was performed on 06.02.2015 at Pushpagirimuth, Tirumala Tirupathi, Chittoor District and that she is a post graduate in Pediatrics at Department of Pediatrics, Sri Venkateswara Medical College, Tirupati. She stated that due to disputes, she lodged a complaint against respondent and respondent filed O.P. before Family Court, Nalgonda, stating that he resided there. She stated that as the Court at Nalgonda is insisting for her appearance every time and that it is difficult for her to travel from Tirupati to Nalgonda, as she is doing post graduation and doing rural service for which, she will not be permitted by authorities to leave the place, therefore, she prayed for transfer of O.P. from the Court at Nalgonda to the Court at Tirupati.

3. Respondent filed counter disputing the affidavit averments of petitioner and opposed the Transfer O.P. on the ground that petitioner is a influential person and he apprehends danger at Tiruapti.

4. Heard both sides. Both the counsel advanced arguments supporting the version of their respective clients.

5. Without going into merits and demerits, allegations and counter allegations of both parties, I feel that considering the convenience of wife, O.P. can be transferred from Nalgonda to Tirupati by dispensing with the presence of respondent, i.e., husband before Family Court, Tirupati.

6. For these reasons, O.P.No.73 of 2015 is withdrawn from the file of Family Court – cum – Additional District Judge at Nalgonda and transferred to Family Court, Tirupati, for disposal in accordance with law. The Family Court, Tirupati, shall dispense with the presence of respondent herein, i.e., husband, for each and every adjournment. However, he shall appear as and when his physical presence is felt necessary for any specific purpose.

7. The petition is ordered accordingly. No costs. Miscellaneous petitions, if any, pending in this petition, shall stand dismissed.

S. RAVI KUMAR, J

08th August, 2016.
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