

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.720 OF 2015

Dated 21-3-2016

Between:

Udhaya Lakshmi Tulasi Obilisetty.

..Petitioner.

And:

L.Dharanidhar.

..Respondent.

-
-

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.720 OF 2015

ORDER:

This petition is filed to withdraw O.P.No.1261 of 2015 from Additional Family Court, City Civil Court, Hyderabad to Principal Senior Civil Judge, Machilipatnam, Krishna District.

Wife filed this application contending that her marriage with respondent was performed on 8-8-2012 and thereafter due to disputes, she is now staying at Machilipatnam which is her native place with her parents and present O.P.No.1261 of 2015 is filed before Additional Family Court, City Civil Court, Hyderabad only to harass her and it is difficult for her to travel from Machilipatnam to Hyderabad for defending O.P.No.1261 of 2015 and as she also apprehends danger to her life at Hyderabad, prayed for transfer of O.P.No.1261 of 2015 from Additional Family Court, City Civil Court, Hyderabad to Principal Senior Civil Judge Court, Machilipatnam, Krishna District.

Respondent filed counter disputing the affidavit averments of the petitioner and contended that petitioner is an employee at Hyderabad and she is having house at Hyderabad and allegation that she is residing at Machilipatnam with her parents is incorrect. It is further

contended that respondent has a life threat at Machilipatnam and as the Hyderabad is convenient to both parties, this Transfer C.M.P. is to be dismissed.

Both parties filed additional affidavits along with documents in support of their contentions namely allegations and counter allegations. Now without going into the correctness of allegations and counter allegations of both parties, on a scrutiny of the material, I am of the view that instead of transferring O.P. to Machilipatnam, a place in between Hyderabad and Machilipatnam may be appropriate for deciding the main dispute on merits. Since Vijayawada is also in Krishna District as respondent herein apprehends some influence from outside agencies, I feel that Guntur is appropriate and proper place for both parties where there is a family court.

For these reasons, O.P.No.1261 of 2015 is withdrawn from Additional Family Court, City Civil Court, Hyderabad and transferred to Family Court, Guntur for disposal in accordance with law. Family Court, Guntur shall dispose of O.P. as expeditiously as possible preferably within six months from the date of receipt of record. Petition is ordered accordingly. No costs.

Advocate for respondent requested that presence of respondent herein i.e., husband may be dispensed with for each and every adjournment.

Considering the same, Family Court shall dispense with the presence of respondent herein i.e., husband for each and every adjournment. However, he shall appear when the court feels that his physical presence is necessary for any specific purpose.

-

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE

S.RAVI KUMAR

Dated 21-3-2016

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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

TRANSFER C.M.P.No.720 OF 2015

Dated 21-3-2016

Dvs