

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.221 OF 2016

Dated 21-7-2016

Between:

Murala Sravani.

..Petitioner.

And:

Murala Anil.

..Respondent.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.221 OF 2016

ORDER:

This application is filed to withdraw O.P.No.1041 of 2015 from Family Court, Vijayawada and transfer the same to Senior Civil Judge, Sanga Reddy, Medak District.

Wife filed this application. According to her affidavit, their marriage was performed on 25-2-2012 and they were blessed with male child and as the respondent has been subjecting her to cruelty she was constrained to lodge F.I.R. with Ramachandrapuram Police, Medak District and respondent filed O.P. for divorce. She further stated that respondent is working in Artesyn Embedded Technologies, VBIT Park, Hyderabad as Software Engineer and staying at Hyderabad and intentionally filed O.P. at Vijayawada. She stated that it is difficult for her to travel from her place of residence to Vijayawada with a small child of two years five months. She further stated that respondent is a influential person in Vijayawada and it is not safe for her to attend court at Vijayawada. For these reasons, she prayed transfer of O.P. from Family Court, Vijayawada to Senior Civil Judge Court, Sangareddy, Medak District.

Respondent filed counter disputing affidavit averments of the petitioner and it is contended that present transfer application is filed only to harass him and there are no justifiable grounds for withdrawal of O.P. from Vijayawada. It is further stated that petitioner is working as Software Engineer at Hyderabad and therefore, there is no point in asking transfer of O.P. to Sanga Reddy.

Heard both sides.

Advocate for petitioner submitted that police filed charge sheet against respondent herein on 4-4-2016 before court at Sanga Reddy and as the family matters outside Municipal jurisdiction of Sangareddy have to be filed before Senior Civil Judge, Sanga Reddy, therefore, O.P. is to be transferred to Senior Civil Judge, Sangareddy which is convenient for both parties as they are residing nearer to that place.

Advocate for respondent opposed the request and submitted that instead of Sanga Reddy, O.P can be transferred to Hyderabad as the place of residence of the petitioner is nearer to Family Court, Miyapur, than Sanga Reddy.

I have perused material papers including affidavit of the petitioner and counter of respondent.

As the criminal case is pending before courts at Sanga Reddy, it would be convenient if this case is also transferred to Sanga Reddy, so that both cases will be at

one place.

Considering the same O.P.No.1041 of 2015 is withdrawn from Family Court, Viajayawada and transferred to Senior Civil Judge, Sanga Reddy, Medak District, for disposal in accordance with law.

Petition is ordered accordingly. No costs.

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

JUSTICE S.RAVI KUMAR

Dated 21-7-2016.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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