

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.93 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.1641 of 2014 from the file of Additional Family Court, City Civil Court, Hyderabad, and transfer the same to VI-Additional District Court-cum-Family Court, Nellore, for disposal.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 14.12.2006 at Saibaba Temple, Padmavathi Nagar, as per Hindu rites and caste customs. She stated that respondent harassed her by demanding additional dowry and she tolerated the harassment for the welfare of their son and after the birth of second child, respondent necked out her from matrimonial home in the year 2012 and since then she is staying at her parents' house. She further stated that respondent filed F.C.O.P.No.1641 of 2014 before Family Court for divorce with baseless allegations. She stated that she is dependant on her parents and she is not in a position to maintain herself and her two children and she cannot meet the travelling expenses from Nellore to Hyderabad for defending F.C.O.P.No.1641 of 2014 filed by respondent. She further stated that she filed D.V.C.No.6 of 2016 before Special Excise Judicial Magistrate of First Class, Nellore, for protection and maintenance. For these reasons, she prayed for transfer of F.C.O.P.No.1641 of 2014 from Additional Family Court, City Civil Court, Hyderabad, to VI-Additional District Court-cum-Family Court, Nellore.

3. This Court permitted petitioner to publish notice of respondent in Eenadu daily newspaper and in compliance of the same, advocate for petitioner filed memo along with paper publication. In spite of that, 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in the affidavit filed in support of petition and also considering convenience of wife, F.C.O.P.No.1641 of 2014 is withdrawn from Additional Family Court, City Civil Court, Hyderabad, and transferred to VI-Additional District Court-cum-Family Court, Nellore, for disposal in accordance with law.

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

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

7th September 2016.

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S. RAVI KUMAR, J