

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.115 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.395 of 2015 from the file of Family Court, Guntur, and transfer the same to Family Court, Vijayawada.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 14.08.2014 at Venkateswara Swamy Temple, Dwaraka Tirumala, West Godavari District, as per Hindu rites and custom. She stated that due to harassment she constrained to file D.V.C. before I-Additional Chief Metropolitan Magistrate, Vijayawada in D.V.C.No.114 of 2015 and that she also lodged a complaint with Station House Officer, Satyanarayanapuram Police Station, Vijayawada, and also filed M.C.No.106 of 2015 and after receiving summons, respondent herein filed F.C.O.P.No.395 of 2015 before Family Court, Guntur. She further stated that distance between Vijayawada and Guntur is about 110 km. and she is dependent on her parents and as respondent is attending three cases at Vijayawada, she prayed for transfer of F.C.O.P.No.395 of 2015 from Guntur to Vijayawada.

3. Respondent filed counter disputing the affidavit averments of petitioner and mainly contended that he has a life threat at Vijayawada and prayed for dismissal of

transfer petition.

4. Heard both sides.

5. Advocate for petitioner submitted that respondent herein threatened petitioner when she attended the Court at Vijayawada and on her complaint S.N.Puram Police Station, Vijayawada, registered F.I.R. in Crime No.72 of 2016 dated 10.02.2016. Whereas, advocate for respondent submitted that respondent has got life threat at Vijayawada and he is now under suspension.

6. I have perused the material papers including the affidavit of petitioner and counter affidavit of respondent. From the pleadings, it is clear that respondent is employee in Police Department. It is also clear from the record that three cases are pending at Vijayawada, for which this respondent is attending for those cases, therefore, no prejudice would be caused if F.C.O.P.No.395 of 2015 is withdrawn from Guntur and transferred to Vijayawada.

7. For these reasons and also considering the convenience of wife, F.C.O.P.No.395 of 2015 is withdrawn from Family Court, Guntur, and transferred to Family Court, Vijayawada, for disposal in accordance with law.

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

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

S. RAVI KUMAR, J

23rd August 2016.

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