

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No. 801 of 2015

ORDER:

This petition is filed by the petitioner/wife to withdraw F.C.O.P.No.887 of 2015 from the file of Family Court, Ranga Reddy at L.B.Nagar and transfer the same to the Court of Judge, Family Court, Eluru, West Godavari District.

The case of the petitioner is that the marriage of the petitioner was performed with the respondent on 24-02-2012 at Morampudi Satyanarayana Kalyana Mandapam, Thoorpu Street, Eluru as per Hindu customs and rites. After the marriage, they lived together at Kakinada and subsequently at Hyderabad as the respondent is doing job. The father of the petitioner died on 13-02-2013 and thereafter the respondent started harassment to get the terminal benefits of her deceased father. As there is no other go, the petitioner filed complaint in Women Police Station, Saroor Nagar and left for her parents house. Thereafter, the respondent filed OP.No.887 of 2015 before Family Court, Ranga Reddy District seeking dissolution of marriage with all false and frivolous grounds. The petitioner filed D.V.C.No.69 of 2015 before the Court of Judicial Magistrate of First Class, Special Mobile Court, Eluru, West Godavari District. It is stated that the petitioner has no male assistance and she cannot travel all the way from Eluru to Hyderabad to defend the OP filed by the respondent. It is also stated that the petitioner and her widowed mother are living at Eluru and they have no male assistance. As such, transfer CMP is filed.

Heard learned counsel for the petitioner and the learned counsel for the respondent.

It is to be seen that D.V.C.No.69 of 2015 pending on the file of Judicial Magistrate of First Class, Special Mobile Court, Eluru, West Godavari District, which is filed by the petitioner against the respondent and the respondent has to attend the said proceedings. It is stated by the petitioner that she has no male assistance and it is difficult for her to travel all the way from Eluru to Hyderabad to defend the OP filed by the respondent. The respondent is working as Technical Supervisor in Hyderabad and having sufficient means.

In view of the facts and circumstances stated supra, it is just and proper to withdraw FC.OP.No.887 of 2015 from the file of Judge, Family Court, Ranga Reddy District at L.B.Nagar and transfer the same to the Family Court, Eluru, West Godavari District.

Accordingly, the Transfer CMP is allowed. Since learned counsel for the respondent states that the respondent is an employee and it is very difficult for him

to attend on each and every date of hearing, the learned Judge, Family Court, Eluru shall dispense with the presence of respondent in FC.O.P.No887 of 2015 on each and every date of hearing except on the date of conciliation and cross-examination.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

20-01-2016
nvl

A.RAJASHEKER REDDY,J