

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.705 of 2015

ORDER :

This petition is filed to withdraw MOP No.15 of 2015 from the file of Family Court, Srikakulam and transfer the same to Family Court, Visakhapatnam for disposal in accordance with law.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 21.05.2014 at Sindhura Function Hall, Visakhapatnam as per Hindu rites and customs and that she is working as Junior Assistant in District Treasury Office, Vizianagarm and residing at Visakhapatnam. She stated that the relations between herself and respondent are strained due to harassment. She contended that respondent left the company of petitioner and went to Srikakulam, and there he filed MOP No.15 of 2015 for restitution of conjugal rights with false and frivolous allegations. She stated that as she is residing at Visakhapatnam and her place of employment is Vizianagaram, it is difficult for her to attend the Court at Srikakulam and by taking her convenience into consideration, prayed for transfer of OP from Srikakulam to Visakhapatnam.

3. Respondent has not filed any counter disputing the affidavit averments of petitioner.

4. Heard arguments.

5. Advocate for respondent submitted that as the wife is working at Vizianagaram, which is middle place for Visakhapatnam and Srikakulam there cannot any inconvenience for her. She further submitted if for any reason request of wife is considered, presence of respondent herein may be dispensed with before Family Court, for each and every adjournment.

6. Considering the submissions of both sides and affidavit averments of petitioner and taking the convenience of wife into consideration, MOP No.15 of 2015 is withdrawn from the file of Family Court, Srikakulam and transferred to Family Court, Visakhapatnam for disposal in accordance with law. Family Court, Visakhapatnam shall dispense with the presence of husband i.e., respondent herein for each and every adjournment. However, respondent herein shall appear as and when his physical presence is felt necessary before Family Court, Visakhapatnam for any specific purpose.

5. Accordingly, the Transfer Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 29.02.2016.

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