

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.707 of 2015

ORDER:

This petition is filed to withdraw O.P.No.66 of 2011 from the file of Family Court, Ongole, and transfer the same to Family Court, Ranga Reddy District.

2. Wife filed this petition and according to her affidavit, her marriage was solemnized on 30.05.2003 at Vaddevarikunta, Mangamuru Donka, Ongole, Prakasam District, and after marriage, she was blessed with two children, who are 12 years and 10 years respectively and respondent-husband filed O.P.No.66 of 2011 before Family Court, Ongole, for restitution of conjugal rights with all false and baseless allegations and obtained *ex parte* decree without her knowledge and thereafter he filed O.P.No.102 of 2012 for dissolution of marriage. She stated that she is residing at Hyderabad and the distance between Ongole and Hyderabad is nearly 400 km. and she has no source of income for her sustenance and to meet the travel expenses and she is living on the mercy of her parents. She stated that it is difficult for her to travel from Hyderabad to Ongole to defend the case leaving her children alone at Hyderabad. For these reasons, she prayed for transfer of O.P.No.66 of 2011 from Family Court, Ongole, to Family Court, Ranga Reddy.

3. Respondent in spite of giving time from 16.12.2015

did not file any counter disputing the affidavit averments.

4. Heard arguments.

5. Advocate for petitioner submitted that M.C. filed by wife is pending before Ranga Reddy Court and the husband is attending Ranga Reddy Court in connection of said M.C. and no prejudice would be caused to him.

6. On the other hand, advocate for respondent submitted that there are no valid grounds to transfer O.P. and that transfer petition is liable to be dismissed.

7. Considering the submissions of both sides, considering the reasons stated in the affidavit filed in support of petition and also considering the convenience of wife, O.P.No.66 of 2011 is withdrawn from Family Court, Ongole, and transferred to Family Court, Ranga Reddy at L.B.Nagar, for disposal in accordance with law. Family Court, Ranga Reddy at L.B.Nagar, shall dispense with the presence of husband i.e., respondent herein for each and every adjournment. However, he shall appear as and when his physical presence is felt necessary for any specific purpose.

8. Accordingly, transfer C.M.P. is ordered.

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

S. RAVI KUMAR, J

25th February 2016.

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