

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.CMP.No.819 OF 2015

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ORDER :

This transfer petition is filed to transfer OP No. 70 of 2015 on the file of the Senior Civil Judge, Siricilla, Karimnagar District to the Court of Senior Civil Judge, at Kamareddy of Nizamabad District.

2. It is the case of the petitioner that her marriage with the respondent was performed on 15.03.2012 at her parents' house at Issanagar village, Domakonda Mandal, Nizamabad District as per the hindu customs and rites and out of their wedlock two children were born. After the marriage, they lived happily for one year. Thereafter, the respondent along with his family members harassed the petitioner demanding additional dowry and used to beat the petitioner. Having no other go, she filed a complaint before the Bibipet Police Station and the same was registered as FIR No.2/2015 under Section 498-A of Indian Penal Code. Thereafter, the respondent filed O.P.No.70 of 2015 on the file of the Senior civil Judge at Siricilla seeking divorce against the petitioner. The petitioner being a woman, unable to travel Siricilla to defend the said OP as she is presently residing with her parents at Issanagar, Nizamabad District and Kamareddy is nearer place to the residence of the petitioner, as such, she seeks transfer of OP No.70 of 2015 to the Court of Senior Civil Judge, at Kamareddy, Nizamabad District.

3. Though notice is served on the respondent, no counter is filed opposing this petition.

4. Heard learned counsel for the petitioner.

5. The averments made in support of this petition which are referred to above are un-controverted by the respondent. The petitioner being a woman, cannot travel from Issanagar, Nizamabad District to Siricilla, Karimnagar District to defend her case in OP filed by the respondent.

6. The Hon'ble Supreme Court in ***Sumita Sing v. Kumar Sanjay and another***

held that in transfer of matrimonial proceedings initiated by the husband against wife, it is the convenience of wife that has to be looked at.

In view of above facts and circumstances, I am of the opinion that O.P.No.70 of 2015 filed by the respondent/husband on the file of the Senior Civil Judge, Siricilla, Karimnagar District is liable to be transferred to the Court of Senior Civil Judge, at Kamareddy of Nizamabad District.

Accordingly, the Tr.CMP is allowed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY, J

21.01.2016

kvs

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Date: 21.01.2016

kvs