

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.401 of 2016

ORDER:

This application is filed to withdraw Divorce O.P.No.13 of 2016 from the Court of District Judge, Ongole, Prakasam District, and transfer the same to Court of District Judge, Guntur.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 04.06.2009 as per Christian rites and caste custom at St.Johns Church, Chirala, Prakasam District and that she joined respondent at matrimonial home and that they lived happily for some time and thereafter, they shifted to Hyderabad and later, due to harassment, she is staying at her parents house. She stated that she lodged a complaint with Women Police Station, Guntur and that she is now residing at Pedakakani, Guntur District and it is difficult for her to attend Court at Ongole, Prakasam District, as she is having life threat. She also stated that she is totally dependant on her old aged parents and her father is a private employee and it is difficult for her to meet travel expenses from Pedakakani, Guntur District to Ongole, Prakasam District, which is more than 130 kilometres. For these reasons, she prayed for transfer of D.O.P.No.13 of 2016 from the Court of District Judge, Ongole, Prakasam District, to the Court of District Judge, Guntur.

3. Respondent filed counter disputing the affidavit averments of petitioner and contended that father and relatives of petitioner are rowdy sheeters at Guntur and that respondent apprehend danger to his life and a complaint is given based on which crime was registered by police. He further stated that on several occasions, father and relatives of petitioner threatened him on phone that they will do away with his life if he enter Guntur. For these reasons, he prayed for dismissal of the Transfer Petition.

4. Heard both sides.

5. Advocate for petitioner represented that in view of the stand taken by respondent and as petitioner is also apprehending danger at Ongole, case may be transferred to Vijayawada, for which, advocate for respondent reported no objection.

6. Considering the contentions and rival contentions of both parties and submissions of both advocates, D.O.P.No.13 of 2016 is withdrawn from the Court of District Judge, Ongole, Prakasam District, and transferred to Family Court, Vijayawada, for disposal in accordance with law.

6. The petition is ordered accordingly. No costs. Miscellaneous petitions, if any, pending in this petition, shall stand dismissed.

S. RAVI KUMAR, J

17th August, 2016.

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