

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.725 of 2015

ORDER:

This petition is filed to withdraw O.P.No.684 of 2013 from the file of XIV Additional District & Sessions Judge, Vijayawada and transfer the same to Family Court, Ranga Reddy District to be tried along with M.C.No.257 of 2014.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed as per Hindu rites and customs on 25.10.2009 at Ganesh Nagar Community Hall, Ganeshnagar, Karimnagar. She stated that she joined respondent at his house and they are blessed with a son by name Venkat Manoj and on the date of 'Annaprasan' function, respondent insulted her before the guests and on the next day she was necked out from martial home and having no other go, she went to her parents house and after one month respondent came to her parents house and requested her to come over to Vijayawada with dowry amount. Thereafter respondent filed O.P.No.684 of 2013 before Family Court, Vijayawada seeking divorce and the same is pending before XIV Additional District Judge, Vijayawada. She stated that as she has no means and unable to lead her life with her son, she filed MC No.257 of 2014 before Family Court, Ranga Reddy and respondent filed his counter and the same is pending adjudication. She stated that she is facing lot of financial problems and not in a position to attend the Court for each and every adjournment at Vijayawada along with her son, who is aged about 3 years, for these reasons, she prayed for withdrawal of O.P.No.684 of 2013 from XIV Additional District Judge, Vijayawada to Family Court, Ranga Reddy District.

3. Respondent in spite of granting time did not file any counter disputing the affidavit averments of petitioner.

4. Heard arguments.

5. As seen from the affidavit of petitioner, Maintenance Case filed by her is pending before Family Court, Ranga Reddy and respondent herein has filed counter and contesting the same.

6. As rightly pointed out by advocate for petitioner as the allegations and counter allegations in both the cases are one and the same, both the matters have to be tried by one Court. Considering the convenience of wife, O.P pending before XIV Additional District Judge, Vijaywada Court has to be withdrawn and transferred to Family Court, Ranga Reddy.

7. For these reasons, O.P.No.684 of 2013 is withdrawn from the file of XIV Additional District & Sessions Judge, Vijayawada and transferred to Family Court, Ranga Reddy District to be tried along with M.C.No.257 of 2014.

8. 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: 04-03-2016

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