

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.319 of 2016

ORDER:

This application is filed to withdraw O.P.No.137 of 2016 from the file of XVI Additional District & Sessions Judge, Malkajgiri, Ranga Reddy District and transfer the same to any competent Court at Karimnagar.

2. Wife filed this application. According to her affidavit, her marriage with respondent was performed on 22.05.2014 at Ramadugu village, as per Hindu rites and caste custom and that there are no issues out of their wedlock. She stated that respondent started harassing her and she is now residing with her parents at Ramadugu village. She stated that she lodged a complaint with police which is registered as Crime No.41 of 2016 and pending before Additional Judicial First Class Magistrate, Karimnagar. She stated that she has also filed a Domestic Violence Case before Additional Judicial First Class Magistrate, Karimnagar. She stated that respondent filed O.P.No.137 of 2016 before XVI Additional District & Sessions Judge, Malkajgiri, Ranga Reddy District, and she has life threat in the hands of respondent. She stated that it is difficult for her to travel from Ramadugu to Hyderabad and she has no male member to accompany her for attending Court at Hyderabad. She stated that respondent is appearing before Additional Judicial First Class Magistrate, Karimnagar, for two cases filed by her and, therefore, it is convenient if this case is also transferred to Karimnagar. For these reasons, she prayed for transfer of O.P.No.137 of 2016 from the Court of XVI Additional District & Sessions Judge, Malkajgiri, Ranga Reddy District, to any competent Court at Karimnagar.

3. This Court permitted petitioner to take out personal notice to respondent by Registered Post with Acknowledgement Due and in

compliance of the said order, advocate for petitioner filed a memo dated 01.07.2016 stating that notice sent to respondent was returned with endorsement "unclaimed". Considering the same, it is treated as deemed service.

4. Heard arguments of advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of this petition and also considering the convenience of wife and also the fact that two cases are already pending before Court at Karimnagar, for which respondent is appearing, O.P.No.137 of 2016 is withdrawn from the file of XVI Additional District & Sessions Judge, Malkajgiri, Ranga Reddy District and transferred to Family Court, Karimnagar, for disposal in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

24th August, 2016.

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