

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.809 of 2014

ORDER:

This petition is filed to withdraw F.C.O.P.No.502 of 2014 from the file of Additional Family Court, Hyderabad, and transfer the same to Family Court, Kadapa District.

2. Wife filed this petition and according to her affidavit, her marriage with respondent was solemnized on 27.11.2009 as per Hindu rites and customs at Devi Setti Suryanarayana Setti Kalyanamandapa, Kothavuru, Ananthapuram. She stated that she was necked out from the matrimonial home and she was left at her parents' house and she is now living on the mercy of her parents. Respondent filed F.C.O.P.No.502 of 2014 before Additional Family Court, Hyderabad, only to harass her. She stated that it is difficult for her to undertake journey from Kadapa to Hyderabad along with infant son covering a distance of 400 kms. It is stated that she apprehend danger to her life in the hands of respondent at Hyderabad. For these reasons, she prayed for transfer of F.C.O.P.No.504 of 2014 from Additional Family Court, Hyderabad, to Family Court, Kadapa.

3. Other side has not filed any counter.

4. Heard arguments.

5. Advocate for petitioner submitted that subsequent to filing of this transfer petition, wife filed maintenance case

and D.V.C. at Kadapa and those cases are pending and respondent is attending those cases and no prejudice would be caused if the F.C.O.P. is transferred from Hyderabad to Kadapa.

6. Advocate for respondent submitted that it is difficult for respondent to travel all the way from Hyderabad to Kadapa, in case of transfer, his physical presence may be dispensed with before the Family Court, Kadapa, for each and every adjournment.

7. Considering the contentions and rival contentions of both parties and submissions of both sides, I am of the view that F.C.O.P. pending before Additional Family Court, Hyderabad, be transferred to Family Court, Kadapa, by dispensed with the presence of respondent for each and every adjournment before Kadapa Court.

8. For the above reasons, F.C.O.P.No.502 of 2014 is withdrawn from Additional Family Court, Hyderabad, and transferred to Family Court, Kadapa District. Family Court, Kadapa, shall dispense with the presence of respondent herein (husband) for each and every adjournment. However, he shall appear as and when his physical presence is felt necessary for any specific purpose.

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

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

S. RAVI KUMAR, J

1st March 2016.

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