

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P.No.815 of 2015

ORDER:

This petition is filed to withdraw O.P.No.803 of 2013 from the file of Additional Family court, Visakhapatnam and transfer the same to Family Court, Srikakulam, Srikakulam District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 09.03.2012 at Srinivasa Kalyana Mandapam, Station Road Railway New Colony, Visakhapatnam, as per Hindu Dharma and caste custom. She stated that they lived happily only for 25 days and thereafter disputes arose and as the efforts of caste elders failed and as she is unable to bear harassment, she is living with her parents and lodged a complaint before Mahila Police Station, Srikakulam, which is registered as Crime No.55 of 2013 and thereafter charge sheet was filed which was numbered as C.C.No.135 of 2013 pending before Judicial First Class Magistrate, Narasannapet, and that she also filed maintenance case before Judicial First Class Magistrate, Narasannapet and after filing these two cases respondent filed divorce petition at Visakhapatnam only to harass her. She stated that it is difficult for her to travel from Narasannapet to Visakhapatnam which is more than 130 KMs and that she is also not in a position to meet travel expenses. For these reasons, she prayed for transfer of O.P. from Visakhapatnam to Srikakulam.

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 record, wife filed maintenance case before Judicial First class Magistrate, Narasannpet and the criminal case is also pending at Judicial First Class Magistrate, Narasannapet. Advocate for petitioner submitted that respondent/husband is attending for these two cases and no prejudice would be caused if this OP is also transferred to Srikakulam.

6. Considering the same and also considering the convenience of wife, O.P.No.803 of 2013 is withdrawn from the file of Additional Family court, Visakhapatnam and transferred to Family Court, Srikakulam, Srikakulam District for disposal in accordance with law.

7. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, pending in this petition, if any, shall stand closed.

S. RAVI KUMAR, J

Date: 24-06-2016.

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