

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.199 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.10 of 2016 from Senior Civil Judge, Bhimavaram and transfer the same to Family Court-cum-XV Additional District Judge at Miyapur, Ranga Reddy District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent took place on 24.08.2013 at Alluri Srirama Raju Kalyana Mandapam, Bhimavaram-2 and at the time of marriage petitioner was studying M.Pharmacy at Bangalore and immediately after completion of her studies, she joined company of respondent at Hyderabad on 07.03.2014 and thereafter, due to disputes respondent started living with his parents at Khairatabad, later filed O.P. at Bhimavaram. She stated that respondent is residing at Hyderabad and only with a view to harass petitioner, OP was filed at Bhimavaram, as such she prayed for transfer of O.P.No.10 of 2016 from Senior Civil Judge, Bhimavaram to Additional Family Court-cum-XV Additional District Judge, Ranga Reddy.

3. Respondent filed counter disputing affidavit averments of petitioner contending that their marriage was solemnized at Bhimavaram and respondent left his job and now staying at Bhimavaram, which is his native place and Bhimavaram is more appropriate place to conduct trial as all witnesses are from Bhimavaram and prayed for dismissal of petition.

4. Heard both sides.

5. Both advocates submitted arguments supporting respective contentions of their parties. Advocate for petitioner submitted that even in cause title of O.P. filed by husband, addresses of both parties was

shown as Hyderabad. Advocate for respondent submitted that at the time of filing application, respondent-husband was staying at Hyderabad. But subsequently, he resigned his job and staying at Bhimavaram, which is his native place and attending to agricultural operations. He submitted that it is difficult for respondent to bring witnesses from Bhimavaram to this place and prayed for dismissal of petition. Advocate for petitioner submitted that parents of respondent are residents of Hyderabad and by taking convenience of wife, O.P. has to be transferred from Bhimavaram to Hyderabad.

6 . Considering contentions and rival contentions of both parties, without prejudice to rights of both parties H.M.O.P.No.10 of 2016 is withdrawn from file of Senior Civil Judge, Bhimavaram and transferred to Family Court, Hyderabad, for disposal in accordance with law. Family Court, Hyderabad shall dispense with presence of respondent herein for each and every adjournment, however, he shall appear as and when his physical presence is felt necessary for any specific purpose.

7. 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: 08-08-2016
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