

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.66 of 2016

ORDER:

This petition is filed to withdraw O.S.No.360 of 2014 from the file of Senior Civil Judge, Mangalagiri, and transfer the same to Senior Civil Judge, Ranga Reddy District.

2. Petitioner is plaintiff, who filed O.S.No.360 of 2014 at Mangalagiri Court seeking maintenance at Rs.10,000/- per month from December, 2013 to November, 2014 and also for charge over the plaint schedule property, which is situated within the jurisdiction of Mangalagiri. Now, according to affidavit of petitioner, as she had shifted her residence from Mangalagiri to Ranga Reddy, it is difficult for her to meet the transport charges, therefore, the suit has to be withdrawn from Senior Civil Judge, Mangalagiri and transferred to Senior Civil Judge, Ranga Reddy. Admittedly, suit is filed at Mangalagiri as the schedule property is situated within the jurisdiction of Mangalagiri. As plaintiff claimed charge over the plaint schedule property simply because plaintiff shifted her residence from Mangalagiri to Ranga Reddy, suit cannot be withdrawn and transferred when the subject property is within the territorial jurisdiction of Mangalagiri Court. Further, presence of petitioner is not required for each and every adjournment since it is a civil suit, she can be represented by an Advocate and her presence may be

necessary only at the time of giving evidence in support of her claim. For these reasons, I am of the view that there is no prima facie case to consider the request of petitioner for withdrawal of O.S.No.360 of 2014 from Senior Civil Judge, Mangalagiri.

3. Therefore, transfer C.M.P. is dismissed at admission stage.

4. Miscellaneous petitions pending, if any, shall stand dismissed. No costs.

S. RAVI KUMAR, J

16th February 2016.

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