

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.797 of 2015

ORDER:

This petition is filed to withdraw F.C.O.P.No.646 of 2013 from the file of Family Court, City Civil Court, Hyderabad and transfer the same to Family Court, Warangal for disposal in accordance with law.

2. Petitioner herein is wife and she filed her affidavit in support of petition, according to which, her marriage was performed with respondent on 11.04.2010 as per Hindu rites and customs at Kazipet, Warangal, and they are blessed with a girl. She stated that due to ill-treatment from respondent and his family members, she is living with her parents at Warangal and respondent neglected her and her child. She stated that in order to harass her, respondent filed FOP No.646 of 2013 before Family Court, Hyderabad for dissolution of marriage and it is difficult for her to attend Family court, Hdyyerabad with her child aged about 5 years to defend FOP No.646 of 2013 by travelling a distance of about 200 KMs. She further stated that she is suffering with health problems and various psychological problems and it would be difficult for her to travel from Warangal to Hyderabad along with her child, for these reasons, she sought transfer of F.O.P.No.646 of 2013 from Family Court, Hyderabad to Family Court, Warangal.

3. On 05.01.2016, this Court directed petitioner to take personal notice to respondent through registered post with acknowledgment due and file proof of service. In compliance of the said order notice to respondent was sent through registered post with acknowledgment due and advocate for petitioner filed

proof of service through Memo dated 01.02.2016. As seen from the postal acknowledgment and the speed post track report, registered post was delivered to respondent on 21.01.2016 and he also received notice sent by Court on the same day. In spite of service of notice respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. As the affidavit averments of petitioner remained unchallenged and since request of petitioner for transfer is made out, F.O.P.No.646 of 2013 is withdrawn from the file of Family Court, City Civil Court, Hyderabad and transferred to Family Court, Warangal for disposal in accordance with law.

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

S. RAVI KUMAR, J

Date: 15-02-2016

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