

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P.No.809 of 2015

ORDER:

This petition is filed to withdraw O.P.No.5 of 2015 from the file of Senior civil Judge, Nalgonda and transfer the same to Senior Civil Judge, Kalwakurthy, Mahabubnagar District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 25.08.2013 at Kalwakurthy Village and Mandal in Mahabubnagar District, as per Hindu rites and caste custom and thereafter there were disputes, due to which, she was not allowed to enter into matrimonial home and under such compelling circumstances, she made a complaint to the Station House Officer, Kalwakurthy police station, Mahabubnagar District, which is registered as Crime No.113 of 2015 and thereafter respondent filed O.P No.5 of 2015 before Senior Civil Judge, Nalgonda for dissolution of marriage. She further stated that she is not in a position to travel from Kalwakurthy to Nalgonda to defend O.P., as there are no male members in her family to accompany her as her parents are suffering with old age ailments. She further stated that by taking her convenience into consideration O.P No.5 of 2015 pending before Senior Civil Judge, Nalgonda may be transferred to Senior Civil Judge, Kalwakurthy.

3. Respondent filed counter disputing the affidavit averments of petitioner and contended that a false report is given against him and he contended that there is a life threat to him at Kalwakurthy of Mahabubnagar as petitioner and her family members threatened him with dire consequences. He also

pleaded that there was compromise, according to which, he has already paid Rs.1,00,000/- and is ready to pay rest of amount i.e., Rs.8,00,000/-. He stated that he has a life threat in the hands of petitioner's parents and for these reasons, he prayed for dismissal of OP.

4. Heard arguments

5. Though respondent contended that he has a life threat at Kalwakurthy and that he was threatened with dire consequences, no supporting material is filed. He specifically pleaded that there was a compromise, in terms of which, he paid Rs.1,00,000/- and he is ready to pay the remaining Rs.8,00,000/-.

6. Advocate for petitioner submitted that though there was a compromise, respondent did not pay the amount as per terms of compromise, and only to harass wife, he filed O.P at Nalgonda.

7. Considering these aspects and also considering the convenience of wife, O.P.No.5 of 2015 is withdrawn from the file of Senior Civil Judge, Nalgonda and transferred to Family Court, Mahabubnagar District for disposal in accordance with law, as respondent apprehends life threat at Kalwakurthy.

8. 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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