

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P.No.179 of 2016

ORDER:

This petition is filed to withdraw O.P.No.804 of 2015 from the file of Family Court, City Civil Court, Hyderabad and transfer the same to Principal Senior Civil Judge, Rajampet, Kadapa District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 20.08.2014 at Kodanda Ramaswamy temple, Ontimitta, Kadapa District and thereafter respondent filed the present O.P. on the ground that her first marriage was not dissolved with her first husband and that she married respondent by suppressing the said fact, therefore filed O.P to dissolve the marriage on the ground of nullity. She stated after marriage respondent and his family members harassed her and that she has filed a complaint before the Station House Officer, Nandaluru Police Station, which is registered as Crime No.43 of 2015. She stated that she is resident of Rajampet, Kadapa district and it is difficult for her to travel from Rajampet to Hyderabad which is 500 KMs being a woman. For these reasons, she prayed for transfer of O.P.No.804 of 2015 from Family court, Hyderabad to Principal Senior Civil Judge, Rajampet.

3. Other side has not filed any counter disputing the affidavit averments of petitioner.

4. Heard both sides.

5. Advocate for petitioner reiterated the affidavit averments of petitioner. Advocate for respondent submitted that respondent

is an employee at Hyderabad and it will be difficult for him to get leave from his employer to attend the Court at Rajampet. He further submitted that the main application itself is filed for nullity of the marriage and that there are no grounds for transfer of the case.

6. Considering the submissions of both sides and considering the convenience of wife, I feel that the request of wife can be considered by dispensing with the presence of husband i.e., respondent herein for each and every adjournment before the Court at Rajampet.

7. For these reasons, O.P.No.804 of 2015 is withdrawn from the file of Family Court, City Civil Court, Hyderabad and transferred to Principal Senior Civil Judge, Rajampet, Kadapa District for disposal in accordance with law. Principal Senior Civil Judge, Rajampet shall dispense with the presence of husband i.e., respondent herein for each and every adjournment. However, respondent shall appear as and when his physical presence is felt necessary for any specific purpose. Principal Senior Civil Judge, Rajampet, shall dispose of O.P No.804 of 2015, as expeditiously, as possible, preferably, within six (06) months from the date of receipt of records.

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: 09-06-2016.

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