

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.349 OF 2016

Dated 18-8-2016

Between:

Ch.Sowjanya.

..Petitioner.

And:

A.Sampath.

..Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.349 OF 2016

ORDER:

This application is filed to withdraw O.P.No.71 of 2015 from Senior Civil Judge, Medak District at Sanga Reddy and transfer the same to Senior Civil Judge, Kandukur, Prakasam District.

Wife filed this application.

According to her affidavit, her marriage with respondent was solemnized at International Club, BHEL Township, R.C.Puram, Medak District as per Hindu Rites and Customs. He joined respondent and lived for some days, and respondent with his parents started harassing her and that she was driven out from the house in the month of November, 2014 and she is now staying at her parents house. She stated that respondent intentionally filed O.P.No.71 of 2015 before Senior Civil Judge, Sangareddy and she has no source of income to meet the travelling expenses. She stated that it is difficult for her to travel from her place of residence to Sangareddy and that there are none to accompany her for each and every adjournment. For these reasons, she prayed for transfer of O.P. from Senior Civil Judge, Medak District at Sanga Reddy to Senior Civil Judge, Kandukur, Prakasam District.

Respondent filed counter disputing the affidavit

averments of petitioner and contended and that he is ready to bear transport charges of the petitioner for attending case at Sangareddy. He further stated that he is working as private employee on low salary and if the case is transferred, he can not get leave and may lose his job. For this reason, he prayed for dismissal of the application.

Heard both sides.

Considering the submissions of both sides and considering the contentions and rival contentions of both parties, in stead of transferring the case to Kandukuru court, I deem it appropriate to transfer the case to Family Court at Ongole, Prakasham District by dispensing with the presence of husband before family Court on some conditions.

For these reasons, O.P.No.71 of 2015 is withdrawn from Senior Civil Judge, Medak at Sanga Reddy and transferred to Family Court, Ongole, Prakasam District for disposal in accordance with law and Family Court, Ongole shall dispense with the presence of the respondent-husband for each and every adjournment. However, he shall appear as and when his physical presence is felt necessary for any specific purpose.

Petition is ordered accordingly. No costs.

As a sequel to the disposal of this petition, Miscellaneous Petitions, if any, pending, shall stand dismissed.

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JUSTICE

S.RAVI KUMAR

Dated 18-8-2016.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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