

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.293 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.277 of 2015 from the file of Family Court-cum-VI-Additional District Judge, Nellore, and transfer the same to Family Court, Ranga Reddy at L.B.Nagar.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 02.08.2006 at Ramanjukuntama, Gidangi Vari Veedi, China Bazar, Nellore Town and during their wedlock, they are blessed with one male child. She stated that because of the attitude of respondent, she is living separately and respondent filed F.C.O.P.No.277 of 2015 before Family Court, Nellore, for restitution of conjugal rights and that she filed O.P.No.805 of 2015 before Family Court, Ranga Reddy, for dissolution of marriage and both are pending. She stated that both the cases have to be tried by one Court. She further stated that when she attended the Court at Nellore, respondent and his parents threatened her with dire consequences and as she has a life threat at Nellore, she cannot go to Nellore for defending F.C.O.P.No.277 of 2015 filed by respondent. She stated that distance between Nellore and Hyderabad is about 400 kms. and it is difficult for her to travel from Hyderabad being a woman, therefore, she prayed for transfer of F.C.O.P.No.277 of 2015 from Family Court, Nellore to Family Court, Ranga Reddy at L.B.Nagar.

3. This Court permitted petitioner to take personal notice to respondent through his advocate on record in the lower Court and in compliance of the same, advocate for petitioner filed a memo stating that notice sent to advocate for respondent in the lower Court is served as per the track report of the Postal Department. He filed the track report of the Postal Department along with memo. As seen from it, notice was sent on 29.07.2016 and the same was delivered to the addressee on 01.08.2016. In spite of that respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit and also considering the convenience of wife and the fact that O.P. filed by wife is pending before Family Court, Ranga Reddy at L.B.Nagar, F.C.O.P.No.277 of 2015 is withdrawn from Family court-cum-VI-Additional District Judge, SPSR Nellore, and transferred to Family Court, Ranga Reddy at L.B. Nagar, for disposal in accordance with law.

6. Transfer C.M.P. is ordered accordingly.

7. Miscellaneous petitions pending, if any, shall stand closed.

S. RAVI KUMAR, J

30th August 2016.

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