

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.53 of 2016

Date:30.03.2016

Between:

Jeeru Rajeswari

... Petitioner.

AND

Jeeru Venkata Anjana Reddy

...Respondent.

The Court made the following:

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

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Tr.CMP.No.53 of 2016

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ORDER:

This application is filed to withdraw Guardian O.P.No.1410 of 2012 from Family Court, Visakhapatnam and to transfer the same to Family Court, Guntur.

2. Wife filed this application and according to her affidavit, marriage of the petitioner was performed with respondent on 21-04-2000 and later the marriage was consummated and they were blessed with two children and thereafter, the petitioner was necked out from the house and having no other alternative, petitioner along with her two children went to her parents' house in Guntur and filed M.C.No.109/2011 before the Family Court, Guntur and that the Family Court granted maintenance to the children. It is stated that respondent filed Guardian O.P., before Family Court, Visakhapatnam showing the address of petitioner wrongly as resident of Visakhapatnam and the petitioner being woman has no male support and she is living on the mercy of her parents and it is difficult for her to travel from Guntur to Visakhapatnam, which is nearly 400 K.M. She further stated that she has to look after her two minor children and for these reasons, she prayed for transfer of Guardian O.P.No.1410/2012 from Family Court, Visakhapatnam to Family Court, Guntur.

3. Respondent filed counter disputing the affidavit averments of the petition and contended that the petitioner has shown her address at Guntur for the purpose of transfer petition and that there are no

valid grounds to transfer the G.O.P., from Visakhapatnam to Guntur. It is further contended that the G.O.P., before the Visakhapatnam Court was adjourned from time to time and petitioner was set *ex-parte* once and on her petition, *ex-parte* order was set aside and the matter was adjourned for cross-examination of the petitioner and stand posted to 24-03-2016.

4. Heard advocate for petitioner and no arguments are advanced on behalf of the respondent.

5. Advocate for petitioner submitted that execution petition filed in the M.C., is pending before the Family Court, Guntur in Crl.R.P.No.476/2015 and the respondent herein is attending the said case and that both the children are also living with petitioner at Guntur, therefore, it is convenient for all the parties if the O.P., is transferred from Visakhapatnam to Guntur.

6. Considering the reasons stated in the affidavit and the objection raised by the respondent in the counter, I am of the view that the request of the petitioner is quite reasonable in view of the fact that the children are residing at Guntur. Therefore, G.O.P.No.1410/2012 is withdrawn from Family Court, Visakhapatnam and transferred to Family Court, Guntur for disposal in accordance with law.

7. Tr.CMP is ordered accordingly. No costs.

8. As a sequel, miscellaneous petitions, if any, pending in this Tr.CMP., shall stand disposed of.

JUSTICE S. RAVI KUMAR

Date:30.03.2016

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