

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.8 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.59 of 2015 from the file of Senior Civil Judge, Srikalahasti, and transfer the same to Senior Civil Judge, Bapatla, Guntur District.

2. Wife filed this petition and according to her affidavit, her marriage with respondent was performed on 15.08.2014 at Ponnur, Guntur District as per Hindu law and customs. She stated that she joined respondent at Srikalahasti, thereafter, due to disputes, she came back to Ponnur and the respondent issued a legal notice with false and frivolous allegations and filed H.M.O.P.No.59 of 2015 before Senior Civil Judge, Srikalahasti. She also stated that she is residing at Ponnur and it is difficult for her to travel from Ponnur to Srikalahasti, to defend the divorce proceedings. She further stated that respondent and his father are doing business at Srikalahasti and that they have threatened her with dire consequences, hence, she has life threat at Srikalahasti therefore she prayed for transfer of O.P. from Srikalahasti to Senior Civil Judge, Bapatla, Guntur District.

3. Respondent/husband filed counter disputing the affidavit averments of the petition and opposed the transfer. He also expressed life threat at Bapatla.

4. Heard both sides.

5. Advocate for petitioner submitted that the allegations in H.M.O.P. are correct or not is a matter to be decided in the divorce petition, as the petitioner is finding it difficult to travel from Ponnur to Srikalahasti, by taking convenience of the wife into consideration, her request of transfer from Srikalahasti to Bapatla may be considered.

6. Advocate for respondent submitted that instead of Bapatla, the O.P. may be transferred to Nellore or Kavali.
7. I have perused material papers including affidavit of the petitioner and counter affidavit of the respondent.
8. Considering the contentions and rival contentions of both parties and by taking convenience of wife into consideration, H.M.O.P.No.59 of 2015 is withdrawn from Senior Civil Judge, Srikalahasti and transferred to Family Court, Ongole, for disposal in accordance with law.
9. Accordingly, transfer C.M.P. is ordered. No costs.
10. Miscellaneous Petitions pending, if any, shall stand dismissed.

S. RAVI KUMAR, J

18th July, 2016.

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