

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.27 of 2016

ORDER:

This petition is filed to withdraw O.P.No.65 of 2015 from Senior Civil Judge, Adoni, Kurnool District and transfer the same to Senior Civil Judge, Markapur, Prakasam District.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 23.05.2013 as per Hindu tradition and caste custom at Yemmiganur and both of them lived happily for few days, thereafter, respondent started harassing her and mediators failed in their attempt to compromise and as respondent and his parents did not change their attitude and continued to harass her and having unable to bear their harassment, she went to her parents' house on 11.04.2015 and since then she is staying there. She stated that she lodged a complaint before B.V.Peta Police Station and respondent with a malafide intention filed O.P. before Senior Civil Judge, Adoni, Kurnool District for restitution of conjugal rights. She stated that distance between her place of residence and Adoni is about 250 kms and it would take 10 hours to cover these two places. She stated that she being a lady cannot undertake journey for such a long distance and that she has no relatives or friends at Adoni to take shelter for the purpose of defending O.P. filed by respondent. She further stated that respondent is a Government Teacher and got financial support and there would be no inconvenience to him, if the case is transferred to Senior Civil Judge, Markapur, Prakasham District. For these reasons, she prayed for transfer of O.P.65 of 2015 from Senior Civil Judge, Adoni, Kurnool District to Senior Civil Judge, Markapur, Prakasham District.

3. In spite of granting time from 08.07.2016, no counter is filed on behalf of respondent. Heard arguments.

4. Advocate for petitioner submitted supporting contentions of petitioner that are referred in the affidavit. Advocate for respondent submitted that counter could not be filed due to ill-health of respondent and sought time for filing counter. Time for filing counter is refused.

5. Considering reasons stated in the affidavit and also considering convenience of wife, O.P.No.65 of 2015 is withdrawn from file of Senior Civil Judge, Adoni, Kurnool District and transferred to Senior Civil Judge, Markapur, Prakasam District, for disposal in accordance with law.

6. Accordingly, the Transfer Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 26-08-2016
kvrn