

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.510 of 2016

ORDER:

This petition is filed to withdraw M.O.P.No.50 of 2016 from Principal Senior Civil Judge, Kothagudem, Khammam District and transfer the same to Family Court, City Civil Court, Hyderabad.

2. Wife filed this application. According to her affidavit, her marriage with respondent was performed on 07.12.2012 as per Hindu rites and custom and they both happily lived for a period of one year and thereafter, respondent and his family members started harassing her and finally she was necked out from matrimonial home and having no other alternative, she went to her parental house at Dhoolpet, Hyderabad and since then living with her parents. She stated that she lodged a complaint before Women Police Station, CCS, Hyderabad, which is registered as Crime No.394 of 2016 and the same is pending before XIII Additional Chief Metropolitan Magistrate, Hyderabad. She stated that as a counter blast, respondent filed M.O.P.No.50 of 2016 before Principal Senior Civil Judge, Kothagudem, Khammam District seeking divorce with all vexatious and frivolous allegations. She stated that she has no income of her own and she is solely dependant on her parents and it is difficult for her to go to Kothagudem from Hyderabad and she has life threat at Kothagudem. For these reasons, she prayed for transfer of M.O.P.No.50 of 2016 from Principal Senior Civil Judge, Kothagudem to Family Court, City Civil Court, Hyderabad.

3. This Court permitted petitioner to take out personal notice to respondent through registered post with acknowledgment due. Advocate for petitioner filed memo dated 23.08.2016 stating that notice sent to respondent was duly served on 17.08.2016 as per track report. Today he filed memo stating that postal acknowledgment is also received, according to which, respondent received notice on

17.08.2016. In spite of service of notice, respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering reasons stated in the affidavit and also considering convenience of wife, O.P.No.50 of 2016 is withdrawn from file of Principal Senior Civil Judge, Kothagudem, Khammam District and transferred to Family Court, City Civil Court, Hyderabad, for disposal in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

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