

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.33 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.77 of 2015 from the file of Principal Senior Civil Judge, Tirupati, Chittoor District, and transfer the same to Family Court, Ranga Reddy District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 06.01.2013 at Thallada, Khammam District as per Hindu rites and custom and that the marriage was consummated. She stated that they are blessed with one female child and after delivery of the child, respondent-husband never took her back to the matrimonial house despite several requests and she was forced to stay at her brother's house in Hyderabad as her father is a retired employee. She further stated respondent-husband filed H.M.O.P.No.77 of 2015 before Principal Senior Civil Judge, Tirupati, Chittoor District, seeking divorce and she is feeling difficult to attend the Court at Tirupati as she has no financial source. She further stated that she is also feeling insecurity at Tirupati as she has threat from respondent. She further stated that the distance between Tirupati and Hyderabad is nearly 600 KM. and she has to leave her one year old baby or to carry her to Tirupati, for these reasons, she prayed for transfer of H.M.O.P.No.77 of 2015 from Tirupati to Ranga Reddy.

3. Other side has not filed any counter.

4. Heard both sides.
 5. Advocate for petitioner submitted that in view of the difficulty expressed by wife, H.M.O.P.No.77 of 2015 may be transferred from Principal Senior Civil Judge, Tirupati, Chittoor District, to Family Court, Ranga Reddy.
 6. Advocate for respondent submitted that it is equally difficult for respondent to travel all the way from Tirupati to Hyderabad and that he is also not in a sound financial position.
 7. Considering the submissions of both sides and considering the convenience of wife, H.M.O.P.No.77 of 2015 can be withdrawn from Principal Senior Civil Judge, Tirupati, Chittoor District, and transferred to Family Court, Ranga Reddy, by dispensing with the presence of respondent-husband for each and every adjournment.
 8. For these reasons, H.M.O.P.No.77 of 2015 is withdrawn from Principal Senior Civil Judge, Tirupati, Chittoor District, and transferred to Family Court, Ranga Reddy, for disposal in accordance with law. Family Court, Ranga Reddy, shall dispense with the presence of husband ie., respondent herein for each and every adjournment. However, he shall appear as and when his physical presence is felt necessary for any specific purpose.
 9. Accordingly, this transfer C.M.P. is ordered.
 10. Miscellaneous petitions pending, if any, shall stand closed.
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S. RAVI KUMAR, J

13th April 2016.

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