

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.104 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.315 of 2014 from the file of Family Court, SPSR Nellore District, and transfer the same to Family Court, Tirupati, Chittoor District.

2. Wife filed this petition seeking transfer of F.C.O.P.No.315 of 2014 filed by respondent-husband on the ground that it is difficult for her to travel from Nellore to Tirupati for the purpose of defending F.C.O.P.No.315 of 2014 and that there are other cases pending at Tirupati and respondent is attending Tirupati Courts in connection of those cases and no prejudice would be caused to him if this F.C.O.P.No.315 of 2014 is transferred to Tirupati from Nellore.

3. Respondent filed counter disputing the affidavit averments of petitioner and contended that he has life threat at Tirupati and opposed the transfer petition on that ground.

4. Heard both sides.

5. Considering the submission of both sides, affidavit and counter-affidavit of both parties, I am of the view that the request of wife can be considered by dispensing with the presence of respondent-husband for each and every adjournment before Family Court, Tirupati, to meet the ends of justice.

6. Accordingly, F.C.O.P.No.315 of 2014 is withdrawn from Family Court, SPSR Nellore District, and transferred to Family Court, Tirupati, Chittoor District, for disposal in accordance with law. Family Court, Tirupati, 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.

7. Accordingly, this transfer C.M.P. is ordered.

8. Miscellaneous petitions pending, if any, shall stand closed.

S. RAVI KUMAR, J

13th April 2016.

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