

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

TRANSFER CRIMINAL PETITION No.103 of 2017

ORDER :

Heard learned counsel for the petitioner, learned Public Prosecutor and perused the record.

2. Respondent No.2 refused to receive the notice. To that effect, an endorsement was made on the return postal cover containing notice.

3. Learned counsel for the petitioner would submit that respondent No.2 is working as Associate Analyst at G.D. Research Centre, MSR Block, III Floor, Krishe Shapphire Building, Madhapur, Hyderabad. She has no residence at Gadwal. The maintenance application is filed thereto harass and cause loss to the petitioner herein at Gadwal Court. The official address furnished by the petitioner shows that respondent No.2 is working in the afore-mentioned address. A notice addressed to the afore-mentioned address was returned as the addressee refused to receive the same. The petitioner has also filed the copies of notice sent in O.P.No.2038 of 2015, wherein the afore-mentioned address is mentioned, and the said notice was received on respondent No.2. However, the said O.P. was withdrawn and a divorce O.P. was filed and the same is pending before the City Civil Courts, Hyderabad. She made appearance therein and pursuing the divorce O.P. There is record to show that the petitioner is working as Associate Analyst at G.D. Research Centre, Madhapur, Hyderabad. Even if this M.C.No.4 of 2017 pending on the file of the Judicial First Class Magistrate,

Gadwal, Mahabubnagar District, is transferred to any Metropolitan Magistrate, Nampally Criminal Courts, Hyderabad, no prejudice or hardship would be caused to respondent No.2. For the convenience of parties and to meet the ends of justice, the M.C.No.4 of 2017 pending on the file of the Judicial First Class Magistrate, Gadwal, Mahabubnagar District, is withdrawn and transferred to Additional Family Court, Nampally, Hyderabad, for disposal in accordance with law.

4. Accordingly, the petition is allowed.
5. Miscellaneous petitions pending, if any, shall stand closed.

9th October 2017.
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Dr. SHAMEEM AKTHER, J

