

THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER CIVIL MISCELLANEOUS PETITION No.215 OF 2017

ORDER:

This is an application for transfer of F.C.O.P.No.2 of 2017 from the Family Court, Kadapa, to the Family Court, Ranga Reddy District, at L.B.Nagar. The said application was filed by the respondent/husband seeking restitution of conjugal rights.

2. Notice on this application for transfer was taken on the very same address, which is shown by the respondent in his application for restitution of conjugal rights before the Court below. However, it has been returned with an endorsement that 'receiver not available'. The proceedings before the Court below stands stayed by this Court from 03.04.2017. It is, therefore, declared that the notice on the respondent has been duly served.

3. Heard the learned counsel for the petitioner in the light of the pleadings on record.

4. Learned counsel for the petitioner submits that D.V.C.Appeal No.536 of 2016 is pending before the II Additional District Judge, Ranga Reddy District, at L.B.Nagar, that the petitioner is staying at Hyderabad and that it is very difficult for her to go to Kadapa for attending F.C.O.P.No.2 of 2017 with her seven year female child. Hence, he prays this Court to transfer F.C.O.P.No.2 of 2017 from the Family Court, Kadapa, to the Family Court, Ranga Reddy District, at L.B.Nagar.

5. Having regard to the facts and circumstances of the case, it is required that F.C.O.P.No.2 of 2017 from the Family Court, Kadapa, to

be transferred to the Family Court, Ranga Reddy District, at L.B.Nagar.

6. In the result, the Transfer Civil Miscellaneous Petition is allowed transferring F.C.O.P.No.2 of 2017 from the Family Court, Kadapa, to the Family Court, Ranga Reddy District, at L.B.Nagar.

Miscellaneous petitions, pending if any, shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

14.12.2018
pln

