

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

TRANSFER CMP.No.726 OF 2014

ORDER:

Heard Sri Mangena Sree Rama Rao, learned counsel for the petitioner – wife. Despite service of notice on the respondent-husband, none entered appearance on his behalf.

The present transfer CMP, under Section 24 of the Code of Civil Procedure, is filed requesting to withdraw O.P.No.3 of 2012 from the file of the Senior Civil Judge, Gudivada, Krishna District, and transfer the same to the file of the Principal Senior Civil Judge, Pitapuram, East Godavari District, on the ground that since the petitioner-wife was driven away from the house of the respondent for her failure to meet the demand for additional dowry, for which she was subjected to harassment, she has been taking shelter at her parents' house at Pitapuram and even she filed M.C.No.16 of 2012 on the file of the Judicial Magistrate of First Class, Pitapuram, East Godavari District, besides C.C.No.235 of 2012 for the offence under Section 498-A IPC.

According to the learned counsel for the petitioner, the respondent has filed O.P.No.3 of 2012 as a counter blast and the petitioner has no means to attend the Court at Gudivada, Krishna District, and also there has been life threat to her, if she attends the Court at Gudivada.

The reason assigned by the petitioner to transfer the case, cannot be brushed aside and, therefore, acceding to the request of the petitioner, O.P.No.3 of 2012 pending on the file of the Senior Civil Judge, Gudivada, Krishna District, is withdrawn and transferred to the file of the Principal Senior Civil Judge, Pitapuram, East Godavari District, for disposal in accordance with law. The transferee Court shall issue notices to both parties on receipt of case bundle and proceed with disposal of O.P in accordance with law.

Accordingly, the transfer CMP is allowed. No order as to costs.

Miscellaneous petitions, if any, pending in the present petition stand closed.

Dt: 27.04.2018
v v

JUSTICE A.SHANKAR NARAYANA

