

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

TRANSFER C.M.P. No.233 OF 2018

ORDER:

The present Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, 1908, by the petitioner - wife viz., Smt. Kaluvala Lavanya, requesting to withdraw O.P. No.41 of 2017 pending on the file of Principal Senior Civil Judge, Mancherial, and to transfer the same to the Senior Civil Judge at Sircilla.

2. Heard Sri K. Buchi Babu, learned counsel for the petitioner, and perused the material on record.

3. Despite service of notice, respondent has not chosen to make his appearance.

4. The learned counsel for the petitioner would submit that the respondent, who is husband of the petitioner, beat the petitioner indiscriminately and driven her out of the house, and, therefore, she is taking shelter at her parents' house at Sircilla. The petitioner has got a child and the Court at Mancherial is situated at a distance of 150 K.Ms. away from Sircilla, and, therefore, it is inconvenient for her to travel to Mancherial to attend the Court. She is unable to bear the transport and other incidental expenses besides a small child.

5. The request made is genuine. It will be too difficult for the petitioner to travel to Mancheri from Sircilla that too with a small child and without male assistance.

6. Therefore, the present Transfer Civil Miscellaneous Petition is allowed at the admission stage itself. Consequently, F.C.O.P. No.41 of 2017 pending on the file of the Principal Senior Civil Judge, Mancheri, is withdrawn and transferred the same to the file of the learned Senior Civil Judge, Sircilla. On receipt of case bundle, the Family Court, Ranga Reddy District, is directed to issue notices to both parties, proceed with the trial and dispose of the matter in accordance with law. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present Transfer Civil Miscellaneous Petition stand closed.

A. SHANKAR NARAYANA, J

May 1, 2018.

PV/MGR