

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER C.M.P. No.820 of 2016

ORDER:

This application is filed by the petitioner-wife seeking transfer of F.C.O.P.No.993 of 2016 pending on the file of the Family Court, City Civil Court at Hyderabad, to the file of the Family Court, Eluru, West Godavari District.

2. Though the notice sent to the respondent-husband returned served, none appears.

3. The respondent-husband filed the F.C.O.P. for restitution of conjugal rights.

4. Having perused the pleadings in the affidavit filed in support of this transfer petition and the material annexed thereto, I am satisfied that sufficient cause has been shown by the petitioner for transfer of F.C.O.P.No.993 of 2016 from the Family Court, City Civil Court, Hyderabad, to the Family Court, Eluru, West Godavari District. The sequence of events and the relevant material clearly indicate that it would be hostile to the interest of the petitioner to come to stand trial in the Court where the matter is pending now. However, since none appears on either side, it is not ascertainable as to whether the proceedings are still pending before the Court below.

5. In the result, if F.C.O.P.No.993 of 2016 filed by the respondent herein is still pending before the Family Court, City Civil

Court, Hyderabad, the same shall stand transferred to the Family Court, Eluru, West Godavari District.

6. The Transfer Petition is ordered accordingly.

Pending miscellaneous petitions, if any, shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 28.12.2018
va/lur

