

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Transfer Civil Miscellaneous Petition No.463 of 2016

ORDER:

Heard Sri Ghanta Ramakrishna, learned counsel, for Sri V.Hari Haran, learned counsel for the petitioner-wife.

2. No representation for the respondent-husband

3. The request made herein by the petitioner-wife is to transfer F.C.O.P. No.208 of 2016 filed by the respondent-husband for dissolution of marriage by grant of decree of divorce from the file of Family Court, Warangal, to the file of Family Court, City Civil Court, Hyderabad or Rangareddy District at L.B. Nagar on the ground that the husband having filed F.C.O.P. left this country and staying at U.S.A. and even notice has been served on him at U.S.A. Further ground is that she has filed three petitions viz., D.V.C. No.150 of 2016 pending on the file of III-Metropolitan Magistrate, Hyderabad; C.C. No.461 of 2016 pending on the file of XIII-Additional Chief Metropolitan Magistrate, Nampally, Hyderabad; and O.P. No.1810 of 2016 pending on the file of Family Court, City Civil Court, Hyderabad for restitution of conjugal rights.

4. Learned counsel further submits that she was driven out from marital home at Warangal at about 10.00 p.m. and then she came to Hyderabad at 2.00 a.m. on one occasion and there has been threat to her life if she attends Warangal Court.

5. Since these allegations are not refuted and even there is no representation for the respondent-husband and there is every

reason to believe the stand taken by the petitioner-wife , it would be reasonable to accede to the request.

6. Therefore, the Transfer Civil Miscellaneous Petition is allowed. F.C.O.P. No.208 of 2016 pending on the file of Judge, Family Court, Warangal is withdrawn and transferred to the file of Family Court, City Civil Court, Hyderabad. The transferee Court shall issue notices to both parties on receipt of case bundle and then proceed to dispose of F.C.O.P. in accordance with law. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Transfer Civil Miscellaneous Petition shall stand closed.

Dt. 17.04.2018
gbs

A.SHANKAR NARAYANA