

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Transfer Civil Miscellaneous Petition No.575 of 2016

ORDER:

The request made is under Section 24 of Civil Procedure Code, 1908, by the petitioner-wife to withdraw H.M.O.P. No.6 of 2016 on the file of Senior Civil Judge, Parvathipuram, and transfer the same to the file of Family Court at Visakhapatnam.

2. Learned Counsel for the petitioner, Sri V. Surender Reddy, would submit that there are altogether three cases are pending on the file of Family Court at Visakhapatnam i.e., O.P. No.1448 of 2016 and G.O.P. No.1102 of 2016 for permanent custody of the child and D.V.C. filed by the petitioner and it is difficult for her to travel to the Senior Civil Judge's Court at Parvathipuram.

3. Keeping in view, even maintenance is not paid to the petitioner by the respondent-husband and it would be difficult for her to meet the travelling expenses and incidental expenses, that too without male assistance and since already three cases are pending in the Visakhapatnam Courts it would be convenient if the request herein is acceded to.

4. Hence, the Transfer Civil Miscellaneous Petition is allowed. H.M.O.P. No.6 of 2016 pending on the file of Senior Civil Judge, Parvathipuram, is withdrawn and transferred to the file of Family Court at Visakhapatnam. The transferee Court shall issue

notices to both parties on receipt of case bundle and dispose of H.M.O.P. in accordance with law by examining if it can be disposed of with other O.P. pending on his file or to dispose of independently. There shall be no order as to costs.

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

A.SHANKAR NARAYANA

Dt. 30.04.2018
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