

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Transfer Civil Miscellaneous Petition No.728 of 2016

ORDER:

The petitioner is the respondent-wife in H.M.O.P. No.85 of 2016 on the file of Senior Civil Judge, Khammam, Khammam District, Telangana State. She filed the present Transfer Civil Miscellaneous Petition under Section 24 of Civil Procedure Code, 1908, requesting to withdraw the said H.M.O.P. and to transfer the same to the file of Senior Civil Judge, Huzurnagar, Nalgonda District, Telangana State, on the ground that after she was driven out from the house by subjecting her to unabated harassment she has been leading life at the mercy of her parents at Mallareddygudem Panchayat, Kothagudem Thanda, Mellacheruvu Mandal, Nalgonda District, and her parents are poor without any regular income and she has no means even to meet the travel expenses, besides inconvenience she is facing in attending the Court at Khammam and even she has discontinued her 2nd year Intermediate studies and it would be very difficult for her to travel to Khammam and attend the Court and, therefore, it would be convenient if the case is transferred to the file of Senior Civil Judge, Huzurnagar, Nalgonda District.

2. The respondent, though, received notice did not enter appearance. Thus, there is nothing on record to controvert the allegations levelled by the petitioner and the plea put forth by her and the request made thereon.

3. Heard Sri K. Laxmaiah, learned counsel, for Sri V. Brahmaiah Chowdary, learned counsel for the petitioner.

4. When kept in view, what has been stated by the petitioner as mentioned in the above, certainly, the request to withdraw H.M.O.P.No.85 of 2016 pending on the file of Senior Civil Judge, Khammam, Khammam District and transfer the same to the file of Senior Civil Judge, Huzurnagar, Nalgonda District, cannot be denied, more particularly, when kept in view, the convenience of the petitioner-wife, still, more particularly, without male assistance it would be difficult for her to attend the Court at Khammam.

5. Hence, the Transfer Civil Miscellaneous Petition is allowed. Consequently, H.M.O.P. No.85 of 2016 pending on the file of Senior Civil Judge at Khammam, Khammam District, is withdrawn and transferred to the file of Senior Civil Judge, Huzurnagar, Nalgonda District. 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. 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.

A.SHANKAR NARAYANA

Dt. 02.05.2018
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