

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Tr.C.M.P.No.846 OF 2017

ORDER:

The present transfer petition, under Section 24 of the Code of Civil Procedure, 1908, is filed seeking to withdraw O.P.No.89 of 2017 from the file of learned Senior Civil Judge, Proddatur, Kadapa District, and transfer the same to the file of learned Senior Civil Judge, Adoni, Kurnool District.

2. Heard Sri G. Subash, learned counsel representing Sri Butta Vijaya Bhaskar, learned counsel for the petitioner. No representation for the respondent.

3. Learned counsel for the petitioner would submit that, in fact, the petitioner – wife filed M.C.No.53 of 2016 and D.V.C.No.6 of 2017 on the file of Judicial Magistrate of First Class, Adoni, Kurnool District and in connection with the same, the respondent has to attend the Court at Adoni. He would also submit that it is difficult for the petitioner to travel to Proddatur, where the respondent–husband filed O.P.No.89 of 2017, seeking dissolution of marriage by grant of decree of divorce.

4. When the M.C. as well as D.V.C. are pending on the file of learned Judicial Magistrate of First Class, Adoni, where the respondent herein is figuring as the sole respondent and respondent

No.1, respectively, and the respondent has to attend the Court at Adoni, there may not be any reason for resisting the request, though, counter is filed controverting the allegations.

5. Therefore, the present transfer petition is allowed. Consequently, O.P.No.89 of 2017 is withdrawn from the file of learned Senior Civil Judge, Proddatur, and transferred to the file of learned Senior Civil Judge, Adoni, Kurnool District. The transferee Court shall issue notices to the parties on receipt of the case bundle and dispose of the O.P. in accordance with law.

Miscellaneous Petitions, if any, pending in this transfer petition shall stand closed. There shall be no order as to costs.

May 01, 2018.
MD

A. SHANKAR NARAYANA, J

