

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

Tr.CMP.No.26 of 2019

ORDER:

This Tr.CMP. is filed seeking transfer of O.P.No.1973 of 2018 from the XVI Additional Chief Judge-cum-III Additional Family Court, Medchal-Malkajgir District at Malkajgiri to the Family Court-cum-Additional District & Sessions Judge, Nizamabad.

2. Petitioner is the wife of the respondent and the respondent had filed the said O.P. at Malkajgiri seeking divorce from the petitioner.

3. Petitioner contends that she is dependent on her parents and she is unemployed and she is finding it difficult to travel to Malkajgiri from Nizamabad where she is staying with her parents. She also stated that she had filed CC.No.745 of 2014 before the I Additional Judicial First Class Magistrate, Nizamabad under Section 498A of IPC and Sections 3 and 4 of Dowry Prohibition Act, and DVC.No.4 of 2015 before the II Additional Judicial First Class Magistrate, Nizamabad and since the respondent has to anyway come to Nizamabad to contest those cases, no prejudice would be caused to him if O.P.No.1973 of 2018 is also transferred from Malkajgiri to Nizamabad.

4. Counter is filed by the respondent opposing the transfer. He contends that he lost his job on account of several cases filed

against him by the petitioner and he is also having dependent parents who are suffering from serious health ailments, but he did not dispute that the petitioner did not have a job and was dependent on her parents for her basic needs and would find it difficult to travel from Nizamabad to Malkajgiri to attend in the O.P.No.1973 of 2018.

5. Accordingly, this Tr.CMP. is allowed; and the O.P.No.1973 of 2018 on the file of the XVI Additional Chief Judge-cum-III Additional Family Court, Medchal-Malkajgir District at Malkajgiri is transferred to the file of the Family Court-cum-Additional District & Sessions Judge, Nizamabad. No order as to costs.

6. Consequently, miscellaneous petitions pending if any shall stand closed.

M.S. RAMACHANDRA RAO, J

22nd August, 2019.

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