

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE**

**PRESENT
THE HONOURABLE SRI JUSTICE A.VENKATESHWARA REDDY**

TR.C.M.P. NO: 79 OF 2020

Between:

Smt. Bandaru Nirisha, W/o. Sri B.M.Sandeep Kumar,

...PETITIONER

AND

B.Madhu Sandeep Kumar, S/o.Sri Pradeep Kumar,

...RESPONDENT

Petition Under Section 24 of the C.P.C. Praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to transfer F.C.O.P.No.1515/2018 from the file of Hon'ble Judge, Additional Family Court- cum- IV Additional District Judge, R.R.District, at L.B.Nagar to the file of the Hon'ble Judge, Family Court at Secunderabad to be tried along with O.P.No.346/2019 and M.C. 59/2019

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in F.C.O.P.No.1515/2018 on the file of Hon'ble Judge, Additional Family Court Judge -cum -IV Additional District Judge, R.R.District, at L.B.Nagar, pending disposal of the Transfer Civil Miscellaneous Petition.

This petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Sri T.Natraj, Advocate for the petitioner and of respondent none appears either in person or by Advocate.

The Court made the following: ORDER

HONOURABLE SRI JUSTICE A.VENKATESHWARA REDDY
TRANSFER CIVIL MISCELLANEOUS PETITION.No.79 of 2020

ORDER:

Heard learned counsel for the petitioner.

2. On verification it is found that notice of the respondent sent by this Court through registered post returned as "unclaimed", which is treated as constructive service, called absent. No representation.

3. This transfer CMP is filed under Section 24 of C.P.C. seeking withdrawal of FCOP.No.1515 of 2018 pending on the file of Judge, Additional Family Court-cum-IV Additional District Judge, R.R. District at L.B.Nagar and to transfer the same to the Court of Judge, Family Court at Secunderabad to be tried along with OP.No.346 of 2019 and M.C.No.59 of 2019 pending on the file of that Court.

3. Perused the averments of the affidavit filed in support of the petition.

4. Having regard to the fact that two more cases are pending on the file of Judge, Family Court at Secunderabad between the same parties, considering the scheme of the Hindu Marriage Act, 1955, Section 24 of C.P.C., convenience of wife, I deem it fit to consider her request.

5. In the result, this transfer CMP is allowed. OP.No.1515 of 2018 pending on the file of Additional Family Court, R.R. District at L.B.Nagar is hereby ordered to be withdrawn and transferred the same to the Court of Judge, Family Court, Secunderabad to be tried along with OP.No.346 of 2019 and M.C.No.59 of 2019

pending on the file of that Court. Learned Judge, Additional Family Court, Ranga Reddy shall transmit the entire case record duly indexed to the Judge, Family Court, Secunderabad within one month from the date of receipt of a copy of this order. Pending miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/-B.SATYAVATHI
ASSISTANT REGISTRAR


SECTION OFFICER

To

1. The Judge, Additional Family Court-cum- IV Additional District Judge, Ranga Reddy District at L.B.Nagar.
2. The Judge, Family Court, Secunderabd.
3. One CC to Sri T.Natraj, Advocate (OPUC)
4. Two CD Copies
5. One Spare Copy

Kj.



HIGH COURT

DATED:16/11/2021

ORDER

TRCMP.No.79 of 2020



ALLOWED.

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HMA
08/12/2021