

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY ONE

PRESENT

THE HONOURABLE SRI JUSTICE A.VENKATESHWARA REDDY

TRANS. CIVIL MISC.PETITION NO: 151 OF 2021

Between:

Mrs.Nalla Praneetha @ Tumma Praneetha, Aged about 31 years, Occ.Housewife,
R/o. H.No. 18-14-182/1/C, 2nd Floor, Maruthinagar, Street No.2, Siddipet, Telangana

...PETITIONER

AND

Mr. Nalla Shekar, Aged about 33 years, Occ. Pvt Employee, R/o H.No. 16-9-
207/A/1, Kalyan Nagar, Godavarikhani, Peddapalli District, Telangana

...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 withdraw and transfer the Divorce Petition being H.M.O.P No. 48 of 2021 before the Hon'ble Senior Civil Judge at Peddapalli to Hon'ble Senior Civil Judge, Siddipet.

IA NO: 1 OF 2021

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 H.M.O.P No. 48 of 2021 on the file of the Senior Civil Judge, Peddapalli Karimnagar District pending disposal of Transfer CMP.

Counsel for the Petitioner :SRI. D.R.HARI PRASAD

Counsel for the Respondent: None appeared

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A. VENKATESHWARA REDDY

Transfer Civil Miscellaneous Petition No.151 of 2021

ORDER:

The petitioner-wife has filed this transfer petition seeking transfer of the divorce petition i.e., H.M.O.P. No.48 of 2021 pending on the file of learned Senior Civil Judge, at Peddapalli, to the file of Senior Civil Judge, Siddipet, and pass such other orders as the Court may deem fit.

There is no representation on behalf of the respondents, despite service of notice.

As per the averments in the affidavit filed by the petitioner in support of the transfer petition, the marriage of the petitioner with the respondent was performed on 10.03.2018, at Siddipet, and they lived for sometime comfortably. Later as he started harassing her, she filed criminal cases vide Crime No.290 of 2021 under Section 498A IPC on the file of P.S. Siddipet and the said case is pending. The petitioner has been living with her parents at Siddipet and it is only to harass her, the respondent has filed H.M.O.P.No.48 of 2021 at Peddapalli under Section 13(1)(1-a) of the Hindu Marriage Act, and therefore the petitioner prayed to transfer the H.M.O.P.No.48 of 2021 from the file of Senior Civil Judge, Peddapalli to the file of Senior Civil Judge, Siddipet.

Having regard to the facts of the case, as the respondent remained absent without any representation, and also considering the entire scheme of the Hindu Marriage Act, convenience of the parties, as the petitioner is the wife and living with her parents at Siddipet, I deem it fit to order transfer of HMOP No.48 of 2021 from the file of Senior Civil Judge, Peddapalli to the file of Senior Civil Judge, Siddipet.

In the result, the Transfer CMP is allowed, and the H.M.O.P.No.48 of 2021 pending on the file of Senior Civil Judge, Peddapalli, is withdrawn and transferred to the file of Senior Civil Judge, at Siddipet. The learned Senior

Civil Judge, Peddapalli, is directed to transmit the entire record of H.M.O.P.No.48 of 2021 to the learned Senior Civil Judge, Siddipet, within one month from the date of receipt of a copy of this order. No costs. Miscellaneous petitions, if any pending in this transfer petition, shall stand closed.

//TRUE COPY//

SD/-B.SATYAVATHI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Senior Civil Judge at Peddapalli.
2. The Senior Civil Judge, Siddipet.
3. One CC to SRI. D.R.HARI PRASAD Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy

CDL

TR

HIGH COURT

DATED:25/10/2021

ORDER

TRCMP.No.151 of 2021



ALLOWING THE TR.C.M.P

⑥ VLW
12/11/21