

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

PRESENT

THE HONOURABLE SRI JUSTICE A.VENKATESHWARA REDDY

TR.CIVIL MISC.PETITION NO: 117 OF 2022

Between:

Kasani Sravanthi, D/o S. Bhikshapati, Aged about 32 years, Occ Household, R/o H.No.18-8-222/5/218, R.N. Colony, Kanchanbagh, Hyderabad.

...PETITIONER/PETITIONER

AND

Kasani Prudhvi, S/o Adinaravana, Aged about 42 years, Occ Asst. Professor, R/o Bairavunipalli (V) Nelakondapalli (M), Khammam District. Presently staying at Osmania University, Saifabad, Hyderabad - 500004.

...RESPONDENT/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 the HMOP No.119 of 2019 pending on the file of Senior Civil Judge at Khammam and to transfer the same to any other Court within the jurisdiction of Hyderabad, Ranga Reddy District

IA NO: 1 OF 2022

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 HMOP No.119 of 2019 pending on the file of Senior Civil Judge at Khammam and to transfer the same to any other Court at Hyderabad or Ranga Reddy within the jurisdiction of Hyderabad, Ranga Reddy District and pass

Counsel for the Petitioner: SMT. B VAIJAYANTHI

Counsel for the sole Respondent: N BHUJANGA RAO

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE A.VENKATESHWARA REDDY

TRANSFER CIVIL MISCELLANEOUS PETITION
NO.117 OF 2022

ORDER:

Heard learned counsel for petitioner. Perused the record. Regarding notice of respondent, postal track consignment report is filed wherein it is mentioned that item delivered on the addressee today. Respondent is called absent. No representation and hence, he is set ex-parte.

2. This Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code (for short 'CPC') by the petitioner/wife against the respondent/husband seeking for withdrawal of H.M.O.P.No.119 of 2019 pending on the file of the Senior Civil Judge, Khammam and to transfer the same to any other Court within the jurisdiction of Hyderabad or Ranga Reddy District.

3. Perused the averments in the affidavit filed in support of the petition. As per the averments of the affidavit, a criminal case, maintenance case and domestic violence case are filed before the criminal Courts at Hyderabad. It is submitted by

learned counsel for the petitioner that respondent/husband is working as Assistant Professor in Mathematics and presently he is also staying at Hyderabad and no prejudice would cause to the respondent if the matter is transferred from Khammam to Hyderabad. Therefore, having regard to the scheme of Hindu Marriage Act, provisions of Section 24 of CPC, the respondent remained absent without representation and also considering the convenience of the petitioner/wife, I am inclined to accept the request of the petitioner.

4. In the result, this Transfer Miscellaneous Petition is allowed, H.M.O.P.No.119 of 2019 pending on the file of the Senior Civil Judge at Khammam is ordered to be withdrawn and transferred to the Court of the Judge, Family Court, City Civil Courts, Hyderabad. Learned Senior Civil Judge, Khammam shall transmit the entire case in H.M.O.P.No.119 of 2019 duly indexed to the Court of the Judge, Family Court, City Civil Courts, Hyderabad within one month from the date of receipt of copy of this order.

5. However, in the circumstances of the case, there shall be no order as to the costs. As a sequel miscellaneous petitions if any, pending, shall stand closed.

//TRUE COPY//

SD/- M. MANJULA
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Senior Civil Judge, at Khammam
2. The Judge, Family Court, City Civil Court, Hyderabad
3. One CC to Smt. B VAIJAYANTHI Advocate [OPUC]
4. One CC to SRI. N BHUJANGA RAO Advocate [OPUC]
5. Two CD Copies
6. One Spare Copy



HIGH COURT

AVRJ

DATED:06/07/2022



ORDER

TRCMP.No.117 of 2022

ALLOWING THE TR CMP

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REMA
29/8/2022