

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

TRANS. CIVIL MISC.PETITION NO: 328 OF 2024

Between:

K.Sai Sindhuri W/o. M.Anil Kumar, D/o. K.Venu Gopal, aged about 28 years,
Occ Housewife, R/o. H.No.14-1-155/3, Parvat nagar, Flat No.137, Tulasi
Nagar, Near Community Hall, Allapur, Balanagar, Moosapet, Hyderabad

...PETITIONER

AND

M.Anil Kumar S/o. M. Pandu Rangaiah. Aged 35 years, Occ Software
Employee, R/o H.No.1-19, Kothur Village, Bomraspet Mandal, Vikarabad
District

...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
OP No. 129 of 2022 from the file of the Senior Civil Judge at Vikarabad, Vikarabad
District to the court of the III Additional District and Sessions Judge-cum-
Principal Family Court, Medchal-Malkajgiri District at Kukatpally.

IA NO: 1 OF 2024

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 OP No. 129 of 2022 from the file of the Senior Civil
Judge at Vikarabad, Vikarabad District pending disposal of the Transfer CMP

Counsel for the Petitioner: Sri N Krishna Sumanth

Counsel for the Respondent: None Appeared

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

Tr.C.M.P.No.328 OF 2024

ORDER:

This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, 1908, by the petitioner, who is the wife of the respondent, seeking the Court to transfer O.P.No.129 of 2022 pending on the file of the learned Senior Civil Judge at Vikarabad, to the file of the learned III Additional District and Sessions Judge - Cum - Principal Family Court, Medchal-Malkajgiri District at Kukatpally. The O.P.No.129 of 2022 was filed by the respondent-husband under Section 13 (1) (i-a) of the Hindu Marriage Act, 1955, seeking dissolution of marriage.

2. The facts of the case are that the marriage between the petitioner and the respondent was solemnized on 29.11.2020 at Majestic Garden, Near Bharath Nagar MMTS Railway Station, Erragadda, Hyderabad. After the marriage, they lead their marital life for some period and thereafter, disputes arose between them, as such, the respondent-husband filed O.P.No.129 of 2022 on the file of the learned Senior Civil Judge at Vikarabad.

3. Heard Sri N.Krishna Sumanth, learned counsel for the petitioner. Though notice was served, none appeared on behalf of respondent.

4. Learned counsel for the petitioner would submit that the petitioner also filed two cases viz., unnumbered CrI.M.P in M.C.No.34 of 2023 before the learned II Additional Family Court, Cyberabad at Kukatpally and D.V.C.No.37 of 2023 before the learned I Additional Junior Civil Judge - Cum - XII Additional Metropolitan Magistrate, Medchal Malkajgiri District at Kukatpally. He further submitted that the petitioner is residing with her parents at Hyderabad. He also submitted that distance between Hyderabad to Vikarabad is more than 110 Kms and she is not having any male support to accompany her to travel to Vikarabad, as such, it is difficult to attend the Court at Vikarabad. Hence, he prayed the Court to transfer O.P.No.129 of 2022 from the learned Senior Civil Judge at Vikarabad.

5. Having regard to the submissions made by the learned counsel for the petitioner and gone through the material available on record, since it is difficult for the petitioner to travel from Hyderabad to Vikarabad, on each and every date of adjournment. Further the respondent herein attending MC and DVC cases in Kukatpally Court and marriage was also performed in Kukatpally Jurisdiction, this Court deems it appropriate to transfer O.P.No.129 of 2022, pending on the file of the learned Senior Civil Judge at Vikarabad, to the file of learned III Additional District and Sessions

Judge - Cum - Principal Family Court, Medchal-Malkajgiri District
at Kukarpally.

6. Accordingly, the Transfer Civil Miscellaneous Petition is
allowed and O.P.No.129 of 2022 stands transferred from the file of
the learned Senior Civil Judge at Vikarabad, to the file of the
learned III Additional District and Sessions Judge - cum - Principal
Family Court, Medchal-Malkajgiri at Kukarpally. The Court
concerned is hereby directed to transmit the entire case file relating
to O.P.No.129 of 2022, after duly indexed, within a period of One
(01) month from the date of receipt of a copy of this Order, under
intimation to the other side. There shall be no order as to costs.

Pending Miscellaneous Applications, if any, shall stand
closed.

//TRUE COPY//

Sd/- K. AMMAJI
ASSISTANT REGISTRAR
SECTION OFFICER

To.

1. The Senior Civil Judge at Vikarabad, Vikarabad District
2. The III Additional District and Sessions Judge-cum-Principal Family Court,
Medchal-Malkajgiri District at Kukarpally.
3. One CC to Sri N Krishna Sumanth, Advocate [OPUG]
4. Two CD Copies

VH/gh



HIGH COURT

DATED: 16/10/2024



ORDER

TRCMP.No.328 of 2024

ALLOWING THE TR.CMP
WITHOUT COSTS

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28/11/24
LOS