

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

TRANS. CIVIL MISC.PETITION NO: 308 OF 2023

Between:

Smt. Boda Padma Mukhi, W/o Boda Ravi Kumar Aged 34 years occ. House hold r/o H.no.8-14, Pedda thanda, Khammam city, Khammam District.

...PETITIONER/RESPONDENT
AND

Boda Ravi Kumar, S/o Boda Ramdas Naik Aged 41 years occ. out sourcing employee r/o H.no.17-1-382/N/23 Nagarjuna colony, opp. Focus Hospital, Champapet, Saroornagar, Ranga Reddy District.

...RESPONDENT/PETITIONER

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 FC.O.P. No.1025 of 2022 which is pending on the file of learned Judge, Family Court, Ranga Reddy District at L. B. Nagar to the learned Judge, Family Court, at Khammam, Khammam District.

IA NO: 1 OF 2023

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 FC OP No.1025/2022 which is pending on the file of learned Judge, Family Court, Ranga Reddy District at L. B. Nagar, pending disposal of the transfer CMP in the interest of justice.

Counsel for the Petitioner: Sri M V Hanumantha Rao

Counsel for the Respondent: Sri B Shiva Kumar

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

Tr.C.M.P.No.308 OF 2023

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 F.C.O.P.No. 1025 of 2022 from the Court of the learned Judge, Family Court, Ranga Reddy District at L.B. Nagar, to the Court of the learned Judge, Family Court, Khammam District.

2. Heard Sri M.V. Hanumantha Rao, learned counsel for the petitioner and Sri. B. Shiva Kumar, learned counsel for the respondent.

3. Main averments of the affidavit, filed in support of the petition, are that the marriage between the petitioner and the respondent was solemnized on 15.03.2017 as per Hindu rites and customs. After six months of their marital life, the respondent and his parents started harassing the petitioner for additional dowry. Thereafter, the petitioner lodged a complaint on 22.10.2019 which was registered as Crime No. 122 of 2019 for the offences under Sec.498-A, 506 of IPC and also under

Section 3 and 4 of D.P. Act and thereafter filed charge sheet vide C.C. No. 20 of 2020 before learned Judicial First Class Magistrate and Special Mobile Court at Khammam and also filed D.V.C. No. 41 of 2022 before learned I Additional Judicial Magistrate of First Class, Khammam and M.C. No. 3 of 2020 before learned Judge, Family Court, Khammam. Later, her husband, who is the respondent herein, filed F.C.O.P. No. 1025 of 2022 seeking divorce before learned Judge, Family Court at Ranga Reddy District at L.B. Nagar.

4. Learned counsel for the petitioner submitted that as there is threat in the hands of the respondent, prayed the Court to transfer the said case to Khammam Court.

5. Having considered the facts and circumstances of the case and the submissions made by learned counsel for the petitioner and since the petitioner is staying with her parents at Khammam District, it is very difficult for her to attend the Court at L.B. Nagar on each and every date of adjournment. Considering the difficulty of the petitioner, this Court deems it appropriate to transfer F.C.O.P.No. 1025 of 2022 from the Court of the learned Judge, Family Court, Ranga Reddy District at L.B. Nagar, to the Court of the learned Judge, Family Court, Khammam District.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. F.C.O.P.No.1025 of 2022 stands transferred from the Court of the learned Judge, Family Court, Ranga Reddy District at L.B. Nagar, to the Court of the learned Judge, Family Court, Khammam District, with a direction to dispense the attendance of the respondent herein, whenever his presence is not required. The Court concerned is hereby directed to transmit the entire case file relating to F.C.O.P.No.1025 of 2022, after duly indexed, within a period of one (1) 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.

SD/- A.V.S. PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Judge, Family Court, Ranga Reddy District at L.B.Nagar.
2. The Judge, Family Court, Khammam District.
3. One CC to Sri M. V. Hanumantha Rao, Advocate [OPUC]
4. One CC to Sri B. Shiva Kumar, Advocate [OPUC]
5. Two CD Copies

Plp
KMS



HIGH COURT

SKS, J

DATED: 29/12/2023

ORDER

TRCMP.No.308 of 2023



**ALLOWING
THE TR. CMP**

29/12/2023
SKS, J