

CORRECTED**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION****TRANSFER PETITION(S)(CIVIL) NO(S). 2196/2019****RAMANABOYINA (KANNEBOYINA) NAMRATHA** **Petitioner(s)****VERSUS****RAMANABOYINA AJAY** **Respondent(s)****O R D E R**

This is a petition filed under Section 25 of the Code of Civil Procedure, 1908, seeking transfer of the Petition for restitution of conjugal rights F.C.O.P No. 313 of 2018 titled as "Ramanaboina Ajay versus Ramanaboina Namratha" pending in the Court of Family Judge, Guntur, Guntur District, Andhra Pradesh to the Court of II Addl. Family Court, Ranga Reddy District at Miyapur, Kukatpally, Telangana.

Learned counsel for the respondent sought further time for filing the counter affidavit on the ground that due to lock down, he could not get necessary documents to prepare the counter. But an indulgence was shown already, way back on 14.02.2020 for the same purpose. What is sought to be transferred is only a petition for restitution of conjugal rights filed by the respondent(husband).

The learned counsel for the respondent submitted that the petitioner (wife) has already filed a criminal complaint at Guntur and that she has all her relatives living in Guntur. Drawing my attention to the address given by the petitioner in the transfer

petition itself, the learned counsel for the respondent contended that she is a resident of Guntur.

But I see from the transfer petition that she had mentioned both her old address and new address. She had even disclosed that she is employed in private enterprise in Hyderabad. There is neither suppression nor an indication that she was always living in Telengana. Therefore, the contention involving around her address at Guntur does not take the respondent anywhere

Insofar as the criminal case is concerned, it is always open to the respondent also to work out his remedy. As a matter of fact, the respondent is actually in Guntur. Therefore, the criminal complaint filed at Guntur only suits the respondent.

In view of the above, I deem it fit and proper to allow this transfer petition. Accordingly, the Petition F.C.O.P No. 313 of 2018 titled as ""Ramanaboina Ajay versus Ramanaboina Namratha" pending in the Court of Family Judge, Guntur, Guntur District, Andhra Pradesh is transferred to the Court of II Addl. Family Court, Ranga Reddy District at Miyapur, Kukatpally, Telangana.

Let the records of the case be transferred to the concerned court without delay.

The Transfer Petition is allowed accordingly.

.....J.
[V. RAMASUBRAMANIAN]

NEW DELHI;
JUNE 18, 2020.

ITEM NO.11 REVISED SECTION XVI-A
 Virtual Court 8

S U P R E M E C O U R T O F I N D I A
 RECORD OF PROCEEDINGS

Transfer Petition(s)(Civil) No(s). 2196/2019

RAMANABOYINA (KANNEBOYINA) NAMRATHA Petitioner(s)

VERSUS

RAMANABOYINA AJAY Respondent(s)

(FOR ADMISSION and IA No.122476/2019-EX-PARTE STAY
 IA No. 122476/2019 - EX-PARTE STAY)

Date : 18-06-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Deepak Prakash, AOR

For Respondent(s) Shri. Gaichangpou Gangmei, AOR
 Mr. G.Seshagiri Rao, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

The transfer petition is allowed in terms of the signed order.

Pending application(s), if any, stands disposed of
 accordingly.

(ASHWANI KUMAR)
 COURT MASTER (SH)

(PRADEEP KUMAR)
 BRANCH OFFICER

(Corrected signed order is placed on the file)

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But I see from the transfer petition that she had mentioned both her old address and new address. She had even disclosed that she is employed in private enterprise in Hyderabad. There is neither suppression nor an indication that she was always living in Telengana. Therefore, the contention involving around her address at Guntur does not take the respondent anywhere

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R E C O R D O F P R O C E E D I N G S

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(ASHWANI KUMAR)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

(Signed order is placed on the file)