

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.827 of 2014

Dated 24th March, 2015

Between:

Srikakulam (Billekurthi) Rama Devi.

...Petitioner.

And:

Srikakulam Anand @ Krupanandam.

...Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.827 of 2014

ORDER:

This petition is filed to transfer H.M.O.P.No.77 of 2014 from Senior Civil Judge, Vizianagaram to Senior Civil Judge, Peddapuram, East Godavari District to be tried along with H.M.O.P.No.13 of 2014.

Wife filed this application and according to her affidavit, she filed H.M.O.P.No.13 of 2014 before Senior Civil Judge, Peddapuram for dissolution of marriage and husband filed H.M.O.P.No.77 of 2014 before Senior Civil Judge, Vizianagaram for restitution of conjugal rights and both cases have to be tried by one court.

She contended that marriage was performed on 20-6-2006 and due to disputes, she filed O.P.in the month of December, 2013. She further contended that it is difficult for her to travel from her place of residence Kirlampudi to Vizianagaram along with a female child.

She contended that she is a Bank employee and staying at Kirlampudi and she contended that husband filed O.P at Vizianagaram only to harass her and as a counter blast for the O.P. filed by her. For these reasons, she prayed for transfer of O.P. from Vizianagaram to Peddapuram.

Respondent, in spite of service of notice, neither appeared in person nor through advocate.

Heard advocate for petitioner.

He submitted to avoid conflicting opinion, both O.Ps filed by wife and husband have to be tried by one court and as the wife is staying at Kirlampudi and her O.P. is pending before Peddapuram Court, which is earlier in point of time, O.P. filed by husband has to be withdrawn and transferred to Peddapuram.

I have perused the material papers filed along with transfer petition.

Considering the reasons stated in the affidavit of the petitioner and also considering the convenience of wife, O.P.No.77 of 2014 is withdrawn from Senior Civil Judge, Vizianagaram and transferred to Senior Civil Judge, Peddapuram to be tried along with O.P.No.13 of 2014 in accordance with law.

Accordingly, this transfer C.M.P. is ordered.

As a sequel to the disposal of this petition, Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE S.RAVI KUMAR

Dated 24th March, 2015.

Dvs

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