

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No.611 of 2015

ORDER:

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This petition is filed to withdraw H.M.O.P.No.39 of 2015 from the file of Senior Civil Judge's Court, Pitapuram, East Godavari District and transfer the same to the Court of Senior Civil Judge, Chirala.

The case of the petitioner is that the marriage of the petitioner was performed with the respondent on 20-02-2009 at Tiruchanur, Tirupathi as per their caste customs and according to provisions of Hindu Marriage Act. Due to their wedlock, they were blessed with two female children. The first daughter was forcibly taken out by the respondent and his parents from the petitioner and the 2nd daughter is with her. It is further averred that the respondent and his parents demanded the petitioner to pay Rs.2.00 lakhs as additional dowry. The petitioner filed O.P.No.76 of 2015 on the file of Senior Civil Judge, Chirala under Section 9 of Hindu Marriage Act for restitution of conjugal rights and since the respondent is not providing maintenance, the petitioner also contemplating to file maintenance case and guardian O.P. at Chirala. Since the petitioner is having two minor children, she is unable to travel all the way from Chirala to Pitapuram and seeks transfer of O.P. No.39 of 2015 filed by respondent pending on the file of Senior Civil Judge, Pitapuram to Senior Civil Judge's Court, Chirala.

Heard both sides.

It is stated that petitioner has two minor children and already she filed O.P.No.76 of 2015 for restitution of conjugal rights and the same is pending on the file of Senior Civil Judge's Court, Chirala. In view of the facts pleaded by the petitioner, I deem it proper to withdraw H.M.O.P.No.39 of 2015 pending from the file of Senior Civil Judge, Pitapuram and transfer it to Senior Civil Judge, Chirala. Learned counsel for the respondent stated that presence of

respondent may be dispensed with in the said O.P.

In view of facts and circumstances, the Transfer C.M.P. is allowed and presence of respondent before the trial Court is dispensed with on every date of adjournment except on the dates when his presence is specifically required during proceedings.

As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

A.RAJASHEKER REDDY,J

05-11-2015

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