

HONOURABLE SRI JUSTICE S.RAVI KUMAR

Tr.CMP.No.494 of 2014

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ORDER:

This petition is filed to withdraw H.M.OP.No.68 of 2013 from Senior Civil Judge, Machilipatnam, Krishna District and transfer the same to Family Court, Rajahmundry, East Godavari District.

Wife filed this application and according to her affidavit, her marriage took place on 04.10.2005 and after her marriage she joined respondent in Korukollu village of Kalidindi Mandal, Krishna District and during wedlock, she gave birth to two female children in the years 2006 and 2010. She stated that the respondent got addicted to bad vices and started harassing her and her two children and that she was necked out from the house along with two children on 19.04.2012 from that day onwards she is residing at Rajahmundry. She stated that she gave a complaint to police, which is registered in Cr.No.85 of 2013 and the said case is now pending before V Additional Judicial First Class Magistrate, Rajahmundry. She further contended that respondent intentionally filed HM.OP.No.68 of 2013 at Machilipatnam to harass her. It is further stated that she filed HM.OP.No.116 of 2014 before Family Court, Rajahmundry for divorce and that it is difficult for her to travel from Rajahmundry to Machilipatnam for the purpose of defending HM.OP.No.68 of 2013 before Senior Civil Judge, Machilipatnam. For these reasons, she prayed for transfer of O.P.No.68 of 2013 from Machilipatnam to Rajahmundry.

Respondent inspite of service of notice neither appeared in person nor through any advocate.

Heard advocate for petitioner.

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

Considering the reasons stated in the affidavit and also for the reason that both O.Ps. for restitution of conjugal rights and O.P. for divorce have to be tried by one Court, H.M.OP.No.68 of 2013 is withdrawn from Senior Civil Judge, Machilipatnam, Krishna District and transferred to Family Court, Rajahmundry to be tried along with HM.OP No.116 of 2014.

Transfer petition is ordered accordingly. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE S.RAVI KUMAR

Dt.7th April, 2015

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