

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.247 of 2016

ORDER:

This application is filed to withdraw O.P.No.101 of 2014 from the file of Family Court, Ongole, and transfer the same to the Family Court, Guntur.

2. Wife filed this application. According to affidavit filed in support of this petition, her marriage with respondent was held on 09.05.2007 according to hindu rites and caste customs at Tirumala Tirupati Devasthanam, Tirumala, and thereafter, there were disputes and that she was harassed for additional dowry and having no other alternative, she is staying with her parents along with child. She stated that she lodged a complaint before Arandalpet Police Station, Guntur, who registered a case in crime No.102 of 2014 and that she also filed F.C.O.P. (M.C.)No.260 of 2014 before the Family Court, Guntur, for maintenance. She stated that as a counter-blast, respondent filed O.P.No.101 of 2014 before the Family Court, Ongole, for dissolution of marriage. She stated that she is presently residing at Guntur on mercy of her parents and that she has no source of income to meet travel expenses from Guntur to Ongole. She further stated that child is now 8 years old pursuing elementary education and it is difficult for her to travel from Guntur to Ongole along with her child. She further stated that she also filed DVC No.16 of 2016 before Special Mobile Magistrate Court, Guntur, and respondent is appearing in all these cases in the Courts at Guntur and, therefore, she prayed to transfer O.P.No.101 of 2014 from Family Court, Ongole to the Family Court, Guntur.

3. This Court permitted petitioner to take personal notice to respondent through registered post with acknowledgement due and as the said notice was returned unclaimed, petitioner was permitted to take notice to respondent through his advocate in lower Court and in compliance of said order, advocate for petitioner filed memo stating that notice sent to

advocate for respondent in lower Court was duly served and filed postal acknowledgement along with postal receipt. In spite of service of notice, neither the respondent appeared in person nor through his advocate.

4. Heard the arguments.

5. Considering the reasons stated in affidavit filed in support of this petition and considering the fact that respondent is attending for cases pending in the Courts at Guntur, request of wife to transfer O.P.No.101 of 2014 from the Court at Ongole to the Court at Guntur is considered.

6. Accordingly, O.P.No.101 of 2014 is withdrawn from the file of the Family Court, Ongole, and transferred to the Family Court, Guntur, for disposal in accordance with law.

7. This petition is ordered accordingly. As a sequel, miscellaneous petitions, if any, pending in this petition shall stand dismissed.

S. RAVI KUMAR, J

21st July, 2016.

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