

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.412 of 2016

ORDER:

This application is filed to withdraw F.C.O.P.No.15 of 2016 from the file of the Family Court, SPSR Nellore District, and transfer the same to Family Court, Tirupati, Chittoor District.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 10.06.2011 at R.K.Kalyana Mandapam, Tiruchanur, Chittoor District, as per Hindu custom and tradition. She stated that out of wedlock, they are blessed with a child on 10.06.2012 and due to harassment, she was forced to stay at her parents house in Tirupati. She stated that respondent filed O.P. before Family Court, SPSR Nellore District seeking divorce and she is contesting the same. She stated that with great difficulty, she along with her three years old child, is defending the O.P. at SPSR Nellore District by traveling from Tirupati. She stated that she is living on the mercy of her parents and her daughter is suffering with pneumonia ailment. She further stated that she filed M.C.No.2 of 2016 on the file of III Additional Judicial Magistrate of First Class, Tirupati, seeking maintenance and respondent has to attend to Court at Tirupati to defend that case. She further stated that she has no one to accompany her to SPSR Nellore District from Tirupati. For these reasons, she prayed for transfer of F.C.O.P.No.15 of 2016 from the Family Court, SPSR Nellore District, to the Family Court, Tirupati, Chittoor District.

3. This Court permitted petitioner to take out personal notice on respondent through Registered Post with Acknowledgement Due and in compliance of the said order, advocate for petitioner filed a memo dated 02.08.2016 stating that notice is duly served on respondent and

filed postal acknowledgement along with memo. In spite of service of notice, respondent neither appeared in person nor through any advocate.

4. Heard arguments of advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of this petition and also considering the convenience of wife, F.C.O.P.No.15 of 2016 is withdrawn from the file of Family Court, SPSR Nellore District, and transferred to the Family Court, Tirupati, Chittoor District, for disposal in accordance with law.

6. The petition is ordered accordingly. No costs. Miscellaneous petitions, if any, pending in this petition, shall stand dismissed.

S. RAVI KUMAR, J

10th August, 2016.
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