

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P.No.215 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.46 of 2015 from the file of Senior Civil Judge, Machilipatnam and transfer the same to Senior Civil Judge, Kandukur, Prakasam District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 27.11.2013 at Vasavi Kalyana Mandapam, Pedana Town, Krishna District as per Hindu rites and caste custom. She stated that she lived with respondent happily for one month at Raghudevapuram village and thereafter her mother-in-law joined them and respondent started ill-treating her and that she was necked out from the house in the month of May 2015. She stated that she lodged a complaint with Station House Officer, Ulavapadu, on the basis of which, charge sheet is filed and CC No.74 of 2015 is pending on the file of Additional Judicial Munsif Magistrate, Kandukur. She further stated that she filed MC No.12 of 2015 before Additional Munsif Magistrate, Kandukur seeking maintenance and also filed DVC No.1 of 2016 before Additional Junior Civil Judge, Kandukur and all the 3 cases are pending at Kandukur and respondent and his parents are attending Kandukur in connection of these cases. She stated that she is not in a position to appear for every adjournment in O.P.No.46 of 2015 before Senior Civil Judge, Machilipatnam and that she has a life threat in the hands of respondent and his family members at Machilipatnam. For these reasons, she prayed for transfer of OP from Senior Civil Judge, Machilipatnam to Senior Civil Judge, Kandukur, Prakasam District.

3. On 04.04.2016, this Court permitted petitioner counsel to take out personal notice to respondent by registered post with acknowledgment due and file proof of service, and in compliance of the said order, advocate for petitioner filed a Memo along with postal acknowledgment, as per which, respondent is served with notice on 16.04.2016.

4. In spite of service of notice respondent neither appeared in person nor through any advocate.

5. Heard arguments.

6. Considering the reasons stated in the affidavit and also considering the convenience of wife, H.M.O.P.No.46 of 2015 is withdrawn from the file of Senior Civil Judge, Machilipatnam and transferred to Senior Civil Judge, Kandukur, Prakasam District for disposal in accordance with law.

7. Accordingly, this Transfer Civil Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, pending in this petition, if any, shall stand closed.

S. RAVI KUMAR, J

Date: 08-06-2016.

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