

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP. No.316 of 2016

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ORDER:

This application is filed to withdraw I.D.O.P.No.54 of 2016 from Principal District Judge, Krishna at Machilipatnam and transfer to Principal District Judge, Eluru, West Godavari District.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 24.05.2007 as per Christian rites and customs at Christian Santhi Ashram, Nandivada, Krishna District and that they were blessed with a daughter and son on 21.05.2008 and 25.02.2010 respectively. It is stated that her husband filed the above referred O.P. for dissolution of marriage with false and baseless allegations suppressing true facts. It is stated that she faced harassment in the hands of respondent and she filed M.C.No.3 of 2016 before the Special Judicial First Class Magistrate (Excise), Eluru, West Godavari District and the same is pending. It is stated that she is now residing with her parents at Venkatapuram, Eluru and that her parents are aged and that she had no male assistance to escort her from Eluru to Krishna at Machilipatnam to defend O.P. filed by her husband. It is stated that children are aged about 7 and 6 years and that she has to look after their welfare and that she had already initiated maintenance proceedings at Eluru and respondent is attending to the said case. Therefore, she prayed for transfer of O.P. from Principal District Judge, Krishna at Machilipatnam to

Principal District Judge, Eluru, West Godavari District.

3. This Court permitted the petitioner to take out personal notice to respondent through registered post acknowledgment due and file proof of service. In compliance of said order, advocate for petitioner filed memo on 04.07.2016 stating that personal notice was sent to respondent through registered post and the same is served and filed postal acknowledgment along with memo.

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

5. Heard arguments of advocate for petitioner.

6. Considering the reasons stated in the affidavit filed in support of the petition, and also considering the fact that respondent is attending Eluru Court in connection of M.C.No.3 of 2016, I.D.O.P.No.54 of 2016 is withdrawn from Principal District Judge, Krishna at Machilipatnam and transferred to Principal District Judge, Eluru, West Godavari District for disposal in accordance with law.

7. The petition is, accordingly, ordered. No order as to costs.

8. As a sequel, miscellaneous petitions pending, if any, shall stand disposed of.

JUSTICE S. RAVI KUMAR

Date:08.07.2016
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