

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.375 of 2016

ORDER:

This application is filed to withdraw O.P.No.243 of 2016 from the Court of XV Additional District Judge – cum – Family Court at Miyapur, and transfer the same to Family Court, Visakhapatnam.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 25.04.2013 at Hotel Four Points by Sheraton, Visakhapatnam, as per Christian rites and custom. She stated that she immediately joined respondent and lead marital life and they lived together for a period of six months. She stated that thereafter, respondent started harassing her and thereafter, she was sent to Visakhapatnam for delivery. She stated that she was blessed with a boy and respondent failed to secure job at Hyderabad and forced her to apply for post at Visakhapatnam, and now she is working as post-doctoral fellow, Department of Commerce and Management Studies in Andhra University. She stated that she is now residing with her mother at Visakhapatnam and is not in a position to travel from Visakhapatnam to Hyderabad with a nursing baby to defend O.P. filed by respondent at Hyderabad. She further stated that respondent is working as Manager in a private company and having substantial income to meet travel expenses. For these reasons, she prayed for transfer of O.P.No.243 of 2016 from the Court of XV Additional District Judge – cum – Family Court at Miyapur, to Family Court, Visakhapatnam.

3. This Court permitted petitioner to take out personal notice on respondent through Registered Post with Acknowledgement Due and also simultaneously to his advocate on record in the lower Court and in compliance of the said order, advocate for petitioner filed a memo stating that notice sent to respondent is returned with endorsement

'party left', but the notice sent to advocate on respondent in the lower Court is duly served and filed the postal acknowledgement along with memo.

4. Heard the arguments of advocate for petitioner. In spite of service of notice, respondent neither appeared in person nor through any advocate.

5. Considering the reasons stated in the affidavit filed in support of this petition and also considering the convenience of wife, O.P.No.243 of 2016 is withdrawn from the Court of XV Additional District Judge – cum – Family Court at Miyapur, and transferred to the Family Court, Visakhapatnam, for disposal in accordance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.

Note:-

Issue C.C. in one week.

(B/o)

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