

THE HONOURABLE SRI JUSTICE S. RAVI KUMAR

Tr.C.M.P.No.313 of 2016

ORDER

This application is filed to withdraw H.M.O.P.No.45 of 2015 from Senior Civil Judge, Repalle, Guntur District and transfer the same to Senior Civil Judge, Nuzvid, Krishna District.

2. Wife filed this application. According to her affidavit, her marriage with the respondent was performed on 18.02.2008 at Repalle as per Christian rites and customs and after marriage, family was set up at respondent's house and they both lived happily for some time and thereafter, respondent started harassing her both physically and mentally and used to demand more money from her parents and as she was unable to bear their harassment, she went to her parents house and now residing there. She stated that she is now living on the mercy of her parents along with her children. She stated that respondent filed O.P.No.45 of 2015 before Senior Civil Judge, Repalle, only to harass her. She stated that distance between Nuzvid and Repalle is more than 100 Kms and it is difficult for her to travel from Nuzvid to Repalle with children for defending the said case. She further stated that she filed M.C.No.7 of 2016 before I Additional Judicial First Class Magistrate, Nuzvid and prayed for transfer of O.P., from Senior Civil Judge, Repalle to Senior Civil Judge, Nuzvid.

3. This Court permitted the petitioner to take out personal notice to respondent through registered post with acknowledgment due and file proof of service. In compliance of the said order,

advocate for the petitioner filed memo on 08.07.2016 stating that the notice sent to respondent was returned with an endorsement 'refused' and also filed the postal cover along with the memo.

4. As seen from the endorsement of the postman, the registered cover was returned with an endorsement 'refused', therefore service is held sufficient.

5. Heard arguments.

6. Considering the reasons stated in the affidavit and also considering the convenience of the wife and the fact that respondent is attending Nuzvid Court in connection of M.C.No.7 of 2016, O.P.No.45 of 2015 is withdrawn from senior Civil Judge, Repalle and transferred to Senior Civil Judge, Nuzvid, for disposal in accordance with law.

7. The Transfer C.M.P. is ordered accordingly. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

S. RAVI KUMAR, J

12th July, 2016

sj