

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TRANSFER C.M.P.No.432 OF 2016

Dated 16-8-2016

Between:

Manchala Pushpavathi.

..Petitioner.

And:

Manchala Srinivasa Rao.

..Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

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ORDER:

This application is filed to withdraw F.C.O.P.No.88 of 2015 from Senior Civil Judge, Chirala, Prakasam District and transfer the same to Principal Senior Civil Judge, Kothagudem, Khammam District.

Wife filed this application. According to her affidavit, her marriage was held about 18 years back and they are blessed with two children and due to bad vices, respondent suspected her fidelity and she was driven out along with children on 16-8-2015 and having no other go, she went to her parents' house at Bhadrachalam and residing there. She stated that she has no source of income and she filed M.C.No.48 of 2015 before Judicial First Class Magistrate, Bhadrachalam seeking maintenance of Rs.4,000/- per month whereas respondent instituted O.P.No.88 of 2015 before Senior Civil Judge, Chirala for restitution of conjugal rights. She stated that she is unemployed and depending on her parents and she has to travel alone to defend O.P. filed by respondent to Chirala. She stated that it is difficult for her to travel from Bhadrachalam to Chirala as the respondent is already attending Bhadrachalam in connection of M.C., it is convenient for him also if the O.P. is transferred to a place nearer to Bhadrachalam and for these reasons, she prayed transfer of O.P. from Senior Civil Judge, Chirala, Prakasham District to Senior Civil Judge, Kothagudem, Khammam District.

This court permitted petitioner to take personal notice through registered post with acknowledgement due and in compliance of the said order, advocate for petitioner filed memo stating that respondent received notice and postal acknowledgment is filed along with memo.

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

Heard advocate for petitioner.

Considering the reasons stated in the affidavit and also considering the convenience of wife, O.P.No.88 of 2015 is withdrawn from Senior Civil Judge, Chirala, Prakasham District and transferred the same to Principal Senior Civil Judge, Kothagudem, Khammam District, for disposal in accordance with law.

Petition is ordered accordingly. No costs.

As a sequel to the disposal of this petition, Miscellaneous Petitions, if any, pending, shall stand dismissed.

Dated 16-8-2016.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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