

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.32 of 2016

ORDER:

This application is filed to withdraw H.M.O.P.No.17 of 2015 from the file of Senior Civil Judge, Chodavaram, Visakhapatnam District, and transfer the same to Court of Senior Civil Judge, Kothapeta, East Godavari District.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 31.12.1999 as per hindu rites and caste custom and after marriage, she joined respondent at his village Musidipalli, A.Koduru Mandal of Visakhapatnam District, and both of them lived amicably for some time and during their wedlock, a male child was born on 17.02.2001 and thereafter, respondent started harassing her both physically and mentally and having no other go, she stayed with respondent bearing such harassment and finally, she was necked out from matrimonial house and then, she went to her parents house and now living at Kothapeta, East Godavari District. She stated that respondent filed H.M.O.P.No.17 of 2015 before Senior Civil Judge, Chodavaram, Visakhapatnam District, and that she filed M.C.No.5 of 2015 and D.V.C.No.13 of 2015 before Judicial First Class Magistrate, Kothapeta, East Godavari District. She further stated that it is difficult for her to travel from Kothapeta, East Godavari District, to Chodavaram, Visakhapatnam District to defend O.P. filed by husband and that she is apprehending danger in the hands of respondent and his family members at Chodavaram. For these reasons, she prayed for transfer of H.M.O.P.No.17 of 2015 from the

file of Senior Civil Judge, Chodavaram, Visakhapatnam District, to Court of Senior Civil Judge, Kothapeta, East Godavari District.

3. This Court permitted petitioner to take out personal notice on respondent through Registered Post with Acknowledgement Due and in compliance of said order, advocate for petitioner filed a memo dated 17.08.2016 stating that notice sent to respondent is duly served on him and filed postal acknowledgement along with memo. In spite of service of notice, respondent neither appeared in person nor through any advocate.

4. Heard arguments of advocate for petitioner.

5. Considering the reasons stated in the affidavit filed in support of this petition and also considering the convenience of wife, H.M.O.P.No.17 of 2015 is withdrawn from the file of Senior Civil Judge, Chodavaram, Visakhapatnam District, and transferred to Court of Senior Civil Judge, Kothapeta, East Godavari District, for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

06th September, 2016.
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