

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.295 of 2016

ORDER:

This petition is filed to withdraw O.P.No.893 of 2015 from the file of Family Court, Vijayawada and transfer the same to Family Court, Visakhapatnam.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was held on 18.10.2007 as per Hindu rites and customs at Dwaraka Tirumala and during their wedlock, they are blessed with two children, who are aged about 7 and 4 years respectively. She stated that respondent started harassing her. She further stated that respondent is not looking after her children also. It is stated that she is now residing at Visakhapatnam and filed O.P.No.1815 of 2015 seeking maintenance for herself and her children and the same is pending. She stated that respondent filed F.O.P.No.893 of 2015 for divorce with baseless allegations and the same is pending on the file of Family Court, Vijayawada. It is stated that the distance between Visakhapatnam and Vijayawada is more than 350 kms and she is feeling it difficult to travel all the way from Visakhapatnam to Vijayawada. It is stated that she is an unemployee and her parents are maintaining her and her children. For these reasons, she prayed for transfer of O.P. from Vijayawada to Visakhapatnam.

3. This Court permitted petitioner to take out personal notice to respondent through advocate on record in the lower Court and in compliance of the same, advocate for petitioner filed memo stating that notice sent to advocate for respondent in lower Court is duly served. Along with memo, he filed postal acknowledgment. In spite of that respondent neither appeared in person nor through any counsel.

4. Heard arguments. Perused affidavit filed in support of

petition.

5. Considering the reasons stated in the affidavit filed in support of petition and also considering convenience of wife, O.P.No.893 of 2015 is withdrawn from the file of Family Court, Vijayawada and transferred to Family Court, Visakhapatnam, for disposal in accordance with law to be tried along with F.C.O.P.No.1815 of 2015.

6. Accordingly, the Transfer Miscellaneous Petition is ordered. No costs. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

S. RAVI KUMAR, J

Date: 08-08-2016

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