

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.772 of 2015

ORDER:

This petition is filed to withdraw H.M.O.P.No.10 of 2014 from the file of Senior Civil Judge, Kavali, Nellore District and transfer the same to Family Court, Vijayawada to be tried along with O.P.Nos.277 and 292 of 2014.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was performed on 21.08.2008 at Sri Rama Yogi Ashramam, Peddapavani Village, near Kavali. Two sons were born through their wedlock and thereafter due to disputes and harassment she went to her parents house and filed DVC.No.35 of 2014 at Vijayawada and also filed O.P.No.277 of 2014 seeking dissolution of marriage and O.P.No.292 of 2014 for recovery of amounts that were given to the respondent. It is stated that respondent filed O.P.No.10 of 2014 at Kavali for restitution of conjugal rights and it is difficult for her to travel from Vijayawada to Kavali, which is at a distance of 250 kms. to defend O.P.No.10 of 2014. It is further stated that two sons are studying second class and UKG and she has no financial source and living at the mercy of her parents. For these reasons, she prayed for transfer of O.P.No.10 of 2014 on the file of Senior Civil Judge, Kavali to Vijayawada.

3. Respondent in spite of service of notice neither appeared in person nor through any advocate.

4. Heard advocate for petitioner. Perused the affidavit filed in support of the petition.

5. Considering the reasons stated in the affidavit filed in

support of the petition and also considering the convenience of wife, O.P.No.10 of 2014 is withdrawn from the file of Senior Civil Judge, Kavali and transferred to Family Court, Vijayawada to be tried along with O.P.Nos.277 and 292 of 2014 for disposal in accordance with law.

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: 14-07-2016
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