

HON' BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.502 of 2016

ORDER:

This petition is filed to withdraw O.P.No.1789 of 2015 from the file of Additional Family Court, Visakhapatnam, and transfer the same to Family Court, Rajahmundry.

2. Wife filed this petition and according to her affidavit, her marriage with respondent was performed on 16.05.2012 at Sowbhagya Function Hall as per Christian custom and that respondent demanded, to give her entire salary to him, for which she did not agree and thereafter respondent started harassing her. She stated that during their wedlock, a male child was born on 15.08.2013 and she is staying at Rajahmundry because of her employment and she is working as Senior Assistant in A.P.E.P.D.C.L., Rajahmundry. She stated that respondent intentionally filed O.P.No.1789 of 2015 at Family Court, Visakhapatnam under Section 32 of the Divorce Act and it is difficult for her to travel from Rajahmundry to Visakhapatnam to defend the said case. She further stated that there is no safety for her life and she apprehends danger in the hands of respondent and his family members at Visakhapatnam. For these reasons, she prayed for transfer of O.P. from Visakhapatnam to Rajahmundry.

3. This Court permitted petitioner to take personal notice to respondent through registered post with acknowledgment due and in compliance of the said order, advocate for petitioner filed memo on 26.08.2016 stating that notice sent to respondent

through registered post was duly served on him and filed postal acknowledgment along with memo. In spite of service of notice, respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit and also by taking convenience of the wife into consideration, O.P.No.1789 of 2015 is withdrawn from Additional Family Court, Visakhapatnam, and transferred to Family Court, Rajahmundry, for disposal in accordance with law.

6. Accordingly, transfer C.M.P. is ordered. No costs.

7. Miscellaneous Petitions pending, if any, shall stand dismissed.

Date: 27.08.2016

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S. RAVI KUMAR, J

