

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.507 of 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.229 of 2016 from the file of Family Court, Guntur, and transfer the same to Family Court, West Godavari at Eluru.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 28.01.2004 at Lions Club Auditorium, Attili, West Godavari District as per Christian rites and religious ceremonies and duly registered with A.E.L. Church, Luthergiri, Rajahmundry. She stated that marriage was consummated and they were blessed with a son on 18.11.2004. She further stated that respondent and his mother subjected her to harassment and tortured her for additional dowry both physically and mentally and she filed M.C.No.19 of 2007 before Judicial First Class Magistrate, Palakol, claiming maintenance and respondent filed O.P.No.156 of 2009 for restitution of conjugal rights and that petition was allowed. She further stated that thereafter respondent filed F.C.O.P.No.229 of 2016 seeking divorce before Family Court, Guntur. She further stated that she is residing at Jagannathapuram, Poduru Mandal, West Godavari District, in her parents' house and it is difficult for her to travel from her place of residence to Guntur, which is more than 200 kms. and that she has no male assistance to accompany her. She further stated that she has to spend huge amount for travelling, boarding and lodging for defending F.C.O.P.No.229 of 2016 filed by

respondent. For these reasons, she prayed for transfer of F.C.O.P.No.229 of 2016 from Family Court, Guntur to Family Court, Eluru, which is having jurisdiction.

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 24.08.2016 stating that notice sent to respondent was received by respondent on 16.08.2016 and filed office copy of notice, postal receipt and postal acknowledgment along with memo. In spite of service respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Considering the reasons stated in the affidavit and also considering the convenience of wife, F.C.O.P.No.229 of 2016 is withdrawn from Family Court, Guntur, and transferred to Family Court, West Godavari at Eluru, for disposal in accordance with law.

6. Transfer C.M.P. is ordered accordingly.

7. Miscellaneous petitions pending, if any, shall stand closed.

S. RAVI KUMAR, J

2nd September 2016.

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