

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.466 of 2016

ORDER:

This application is filed to withdraw H.M.O.P.No.16 of 2016 from the file of Senior Civil Judge, Gudur, SPSR Nellore District, and transfer the same to any competent Court at Vijayawada.

2. Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 25.08.2013 at Sri Venkateswara Vignan Mandir, Labbipet, Vijayawada, as per hindu rites and caste custom and that respondent is working as scientist in SHAR, Sriharikota. She stated that immediately after one month of marriage, respondent started harassing her without any reason and started sending SMS to cell phone with vulgar and filthy language, both to her and her mother. She also stated that in view of harassment, she lodged a complaint with Sriharikota Police, which was registered as C.C.No.73 of 2016 same is pending before Additional Judicial Magistrate of First Class, Sullurupeta, SPSR Nellore District. She further stated that as a counter-blast, respondent filed O.P.No.16 of 2016 before Senior Civil Judge, Gudur, SPSR Nellore District. She stated that she filed M.C.No.181 of 2016 before Family Court, Vijayawada seeking maintenance and that distance between Vijayawada and Gudur is around 300 kilometres and it is difficult for her to travel from Vijayawada to Gudur and she has life threat at Sullurpet and Gudur and that there is no male assistance to accompany her from Vijayawada to Gudur. For these reasons, she prayed for transfer of H.M.O.P.No.16 of 2016 from the Court of Senior Civil Judge, Gudur, SPSR Nellore District, to any competent Court at Vijayawada.

3. This Court permitted petitioner to take out personal notice on respondent through Registered Post with Acknowledgement Due and

in compliance of the said order, advocate for petitioner filed a memo dated 08.08.2016 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the affidavit filed in support of this petition and also considering the convenience of wife, H.M.O.P.No.16 of 2016 is withdrawn from the file of Senior Civil Judge, Gudur, SPSR Nellore District, and transferred to Family Court, Vijayawada, for disposal in accordance with law.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

17th August, 2016.

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