

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.327 of 2015

ORDER:

This petition is filed to withdraw H.M.O.P.No.25 of 2012 from the file of Senior Civil Judge, Gudur, SPSR Nellore District and transfer the same to a Court having competent jurisdiction at Bapatla in Guntur District.

2. Wife filed this petition. According to her affidavit, her marriage was performed with respondent on 12.02.2011 at Rotary Club, Marriage Hall, Bapatla, Guntur District in accordance with Hindu customs and traditions and after marriage, she was taken to Kota in SPSR Nellore District to the parents house of respondent and thereafter they shifted their residence to Chennai in March 2011. She stated that respondent started harassing her and finally she was necked out from the house in June 2011 and she came to her parents house and gave a complaint before Station House Officer, Bapatla Town Police station which is registered as FIR No.138 of 2012 for the offence punishable under Sections 498-A, 506 IPC and Sections 3 and 4 of Dowry Prohibition Act and subsequently the same was registered as CC No.84 of 2013 and the same is pending before Additional Junior Civil Judge-cum-Judicial First Class Magistrate, Bapatla. She further stated that she filed DVC No.13 of 2012 before Additional Junior Civil Judge-cum-Judicial First Class Magistrate, Bapatla and the same is also pending. She contended that respondent filed HMOP No.25 of 2012 before Junior Civil Judge, Gudur only to harass her. She contended that the distance between Gudur and Bapatla is around 250 KMs and it is inconvenient for her to attend the Court of Senior Civil Judge, Gudur for each and every hearing to defend the case. She further contended that as all the cases filed by her are pending at Bapatla, it would be convenient for both parties, if HMOP is also transferred to Bapatla. On these grounds,

she sought transfer of HMOP No.25 of 2012 from Gudur to Bapatla.

3. Respondent in spite of granting time did not file any counter disputing the affidavit averments of petitioner.

4. Heard arguments.

5. Considering the reasons stated in the affidavit filed in support of the petition, which remained un-rebutted and also considering the convenience of wife, H.M.O.P.No.25 of 2012 is withdrawn from the file of Senior Civil Judge, Gudur, SPSR Nellore District and transferred to Principal Senior Civil Judge, Bapatla, Guntur District for disposal in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: 26-02-2016

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