

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.151 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.76 of 2015 from Senior Civil Judge, Repalle, and transfer the same to Senior Civil Judge, Chirala.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 21.11.1999 as per Hindu rites and custom and that she joined respondent and marriage was consummated and that two children were born, who are now aged 11 years and 7 years respectively. She stated that after the birth of two female children, there was change in the attitude of respondent and he started harassing her and that finally she was driven out along with her children from the matrimonial home in the year 2011. She stated that she is now living with her two children with her mother, respondent filed H.M.O.P.No.76 of 2015 before Senior Civil Judge, Repalle, seeking divorce with false and baseless allegations. She stated that she has no source of income and she and her children are living on the mercy of her mother and brother and it is difficult for her to bear the travel expenses from Chirala to Repalle. She further stated that the distance between Chirala and Repalle is more than 100 kms. and she has no assistance to accompany her from Chirala to Repalle. For these reasons she prayed for transfer of H.M.O.P.No.76 of 2015

from Senior Civil Judge, Repalle to Senior Civil Judge, Chirala.

3. This Court permitted petitioner to take personal notice to respondent through registered post with acknowledgment due and advocate for petitioner filed memo stating that in compliance of the order dated 10.03.2016 personal notice was sent to respondent through registered post with acknowledgment due and as per the track report of Postal Department, said notice was served on respondent on 31.03.2016 and till now postal acknowledgment is not received.

4. I have perused the track report of Postal Department. According to which, registered notice article was delivered to addressee on 31.03.2016 and in spite of that respondent neither appeared in person nor through any advocate.

5. Considering the reasons stated in the affidavit and also considering the convenience of wife, H.M.O.P.No.76 of 2015 is withdrawn from Senior Civil Judge, Repalle, and transferred to Senior Civil Judge, Chirala, for disposal in accordance with law.

6. Accordingly, this transfer C.M.P. is ordered.

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

S. RAVI KUMAR, J

20th April 2016.

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