

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.169 of 2016

ORDER:

This petition is filed to withdraw O.P.No.785 of 2015 from the file of Family Court, Vijayawada and transfer the same to District Judge, Krishna, Machilipatnam.

2. Wife filed this petition. According to her affidavit her marriage with respondent was performed on 16.05.2011 as per Christian rites and custom at Vijayawada. She stated that she gave birth to two female children and due to disputes she was necked out from the matrimonial house and since then she was forced to stay at her parents' house. She stated that respondent filed divorce OP before Family Court, whereas she filed OP for restitution of conjugal rights before District Judge, Machilipatnam and also M.C before II Additional Judicial First Class Magistrate at Machilipatnam. She stated that she is living on the mercy of her parents and she has no source of income and she is unable to meet conveyance and other expenses to travel from Machilipatnam to Vijayawada and as she is facing difficulty to appear for every date of adjournment before Family court, Vijayawada, prayed for transfer of OP No.758 of 2015 from Vijayawada to Machilipatnam.

3. Respondent in spite of service of notice neither appeared in person nor through any advocate.

4. Heard arguments.

5. Considering the reasons stated in the affidavit and also considering the fact that OP for restitution of conjugal rights and

M.C. are pending before Machilipatnam courts and that respondent herein is attending Machilipatnam in connection of those two cases, O.P.No.785 of 2015 is withdrawn from the file of Family court, Vijayawada and transferred to District Judge, Krishna, Machilipatnam for disposal in accordance with law.

6. Accordingly, this Transfer Civil 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: 07-04-2016

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