

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.744 of 2015

ORDER:

This petition is filed to withdraw H.M.O.P.No.48 of 2013 from the file of senior Civil Judge, Repalle, Guntur District and transfer the same to Senior Civil Judge, Kothagudem, Khammam District for disposal in accordance with law.

2. Wife filed this petition. According to her affidavit, her marriage was performed with respondent on 28.11.2010 as per Hindu rites and caste customs at Bhadrachalam and after marriage, she was looked after by her husband and in-laws well for a period of 3 months and thereafter respondent started harassing her for additional dowry and that she left the marital home and went to her parents house and lodged a complaint with Station House Officer, Bhadrachalam Police Station on 04.12.2012, which was registered as Crime No.225 of 2012 for the offence punishable under Section 498-A IPC and Sections 3 and 4 of Dowry Prohibition Act and the said case is now pending before Judicial First Class Magistrate, Bhadrachalam. She further stated that she filed DVC No.1 of 2013 before Judicial First Class Magistrate, Khammam District and the same was allowed on 18.08.2015. She further stated that respondent only to harass her filed HMOP No.48 of 2013 before Senior Civil Judge, Repalle, Guntur District for divorce and when she attended Repalle in Guntur District on 23.11.2015, she was threatened with dire consequences of pouring Acid and for that she gave a complaint before Station House Officer, Repalle, but police did not take any action. She further stated that when she attended Repalle again on 08.12.2015 she faced similar threat from respondent, for these

reasons, she sought transfer of HMOP No.48 of 2013 from Senior Civil Judge, Repalle to Senior Civil Judge, Kothagudem.

3. When this matter has come up on 17.02.2016 as the name of one Sri Ineni Venkata Prasad is printed as advocate for respondent in the cause list dated 29.01.2016, this Court adjourned the matter directing the office to verify and print the name of counsel for respondent. Today, advocate for petitioner represented that no vakalat is filed on behalf of respondent and that name of Ineni Venkata Prasad was wrongly printed on 29.01.2016 and he has verified the same by contacting Sri Ineni Venkata Prasad. He submitted that no one appeared for respondent though notice is served personally. Further Sri I. Venkata Prasad is not present, when the matter is taken up.

4. Advocate for petitioner has filed proof of service for personal notice under USR No.7350 of 2015, dated 22.12.2015.

5. Considering the reasons stated in the affidavit filed in support of the petition, considering the submissions of advocate for petitioner and also considering the convenience of wife, H.M.O.P.No.48 of 2013 is withdrawn from the file of senior Civil Judge, Repalle, Guntur District and transferred to Senior Civil Judge, Kothagudem, Khammam District for disposal in accordance with law.

6. Accordingly, the Transfer Civil Miscellaneous Petition is ordered. No costs. Miscellaneous Petitions, if any pending, in this petition, shall stand closed.

S. RAVI KUMAR, J

Date: 23-02-2016

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