

HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CIVIL MISCELLANEOUS PETITION No.134 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.168 of 2015 from the file of Additional Senior Civil Judge, Narasaraopet, Guntur District and transfer the same to Family Court, Vijayawada, Krishna District.

2. Wife filed this petition. According to her affidavit her marriage with respondent was performed on 27.04.2011 at Kanaka Durga Temple, Vijayawada as per Hindu rites and custom and due to disputes petitioner was necked out from matrimonial home on 30.04.2015 and she came down to her parents house and staying there. She further stated that she filed a private complaint on 18.01.2006 and thereafter filed MC No.35 of 2016 before Family Court, Vijayawada against respondent. She stated that respondent filed HMOP No.168 of 2015 before Additional Senior Civil Judge, Narasaraopet for divorce. She stated that distance between Narasaraopet and Vijayawada is 175 KMs and it is difficult for her to travel such a long distance without any male assistance. She stated that her father is no more and her mother is old aged woman and unable to accompany her for each and every adjournment. She also stated that she cannot afford travelling expenses from Vijayawada to Narasaraopet and that she has no relatives at Narasaraopet. She also stated that she is apprehending harassment from respondent and his relatives at Narasaraopet, for these reasons she prayed for transfer of OP from Narasaraopet to Vijayawada.

3. On 01.03.2016 this Court permitted petitioner to take out

personal notice to respondent through registered post with acknowledgment due and file proof of service. In compliance of the said order, advocate for petitioner filed Memo on 28.03.2016 stating that notice sent to respondent was served and filed postal acknowledgment to that effect. As seen from the postal acknowledgment, respondent received notice on 10.03.2016. In spite of service of notice respondent neither appeared in person nor through any advocate.

4. Heard arguments.

5. Considering the reasons stated in the affidavit filed in support of the petition and also considering the convenience of wife and the fact that the cases filed by wife are pending in the Courts at Vijayawada, request of wife for transfer of OP from Narasaraopet to Vijayawada is considered.

6. For these reasons, H.M.O.P.No. 168 of 2015 is withdrawn from the file of Additional Senior Civil Judge, Narasaraopet, Guntur District and transferred to Family Court, Vijayawada, Krishna District for disposal in accordance with law.

7. 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: 29-03-2016

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