

HON'BLE SRI JUSTICE S. RAVI KUMAR

TRANSFER C.M.P.No.532 of 2016

ORDER:

This petition is filed to withdraw H.M.O.P.No.50 of 2016 from the file of Senior Civil Judge, Chirala, and transfer the same to Principal Senior Civil Judge, Tenali, Guntur District.

2. Wife filed this petition. According to her affidavit, her marriage with respondent was solemnized on 20.08.2014 as per Hindu rites and custom at Sri Varalakshmi Narasimha Swamy Temple, Singarayakonda. She stated that respondent harassed her both physically and mentally and finally she was necked out from the matrimonial house. She further stated that respondent filed H.M.O.P.No.50 of 2016 for dissolution of marriage intentionally to harass petitioner without any valid ground. She stated that she is residing at Turimalla Village, Amruthaluru Mandal, Tenali and living on the mercy of her parents. She stated that she lodged a complaint before Amruthaluru Police Station, Tenali, and investigation is pending. She further stated that she also filed maintenance case before II-Additional Judicial First Class Magistrate, Tenali. She stated that she is totally dependent on her parents, who are not in a position to maintain her, and it is difficult for her to attend for each and every adjournment before Senior Civil Judge, Chirala, which is at a distance of 100 kms. from her place of residence. For these reasons, she prayed for transfer of H.M.O.P.No.50 of 2016 from Senior Civil Judge, Chirala, to Principal Senior Civil Judge, Tenali, Guntur District

3. This Court permitted petitioner to take personal notice on respondent and in compliance of the said order, advocate for petitioner filed memo dated 02.09.2016 stating that notice sent to respondent is duly served and filed postal acknowledgment along with memo. In spite of service, respondent neither appeared in person nor through any advocate.

4. Heard advocate for petitioner.

5. Advocate for petitioner submitted that M.C. filed by petitioner is registered as M.C.No.41 of 2016 and the same is pending before II-Additional Judicial First Class Magistrate, Tenali. It is further submitted that petitioner filed D.V.C. and the same is registered as D.V.C.No.48 of 2016, which is also pending before II-Additional Judicial First Class Magistrate, Tenali, and as respondent is to attend for these two cases, no prejudice would be caused if H.M.O.P.No.50 of 2016 is transferred to Tenali.

6. Considering the reasons stated in the affidavit filed in support of petition and considering convenience of wife, H.M.O.P.No.50 of 2016 is withdrawn from Senior Civil Judge, Chirala, and transferred to Principal Senior Civil Judge, Tenali, Guntur District, for disposal in accordance with law.

7. Transfer C.M.P. is ordered accordingly.

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

S. RAVI KUMAR, J

9th September 2016.
mar