

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.702 of 2015

Date:16.02.2016

Between:

Seeramdasu naga Laxmi

... Petitioner.

AND

Sreeramdasu Nageswara Rao

...Respondent.

The Court made the following:

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

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Tr.CMP.No.702 of 2015

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ORDER:

This application is filed to transfer FCOP No.512/2015 from Family Court, Visakhapatnam to Senior Civil Judge, Pittapuram, East Godavari District.

2. Wife filed this application and according to her affidavit, her marriage with respondent took place on 19-05-2005 at Veera Venkata Satyanarayana Devasthanam as per Hindu Rites and Customs and the marriage was consummated and a male child by name Sreeramadasu Satyaeswar Teja was born on 29-07-2010 and one year after the marriage, the respondent started harassing her to bring additional dowry and as she could not bear the mental and physical torture, she left the matrimonial home and now living at her parents' house at Kotananduru of East Godavari District. She stated that she filed M.C., before Additional Judicial First Class Magistrate, Tuni seeking maintenance and also lodged a complaint with Kotananduru Police for an offence under Section 498-A IPC and that the said two cases are pending. She stated that there is no direct conveyance from her village Kotananduru to Visakhapatnam and it is difficult for her to travel all the way from Kotananduru to Visakhapatnam with a tender aged child as there is no male support to accompany her. She stated that she is also not in a position to meet the travelling expenses from Kotananduru to Visakhapatnam which would be approximately Rs.600/- to Rs.700/- to and fro and for these reasons, she prayed for transfer of O.P., from Family Court, Visakhapatnam to Senior Civil Judge, Pittapuram.

3. This Court ordered notice and petitioner was permitted to take personal notice to respondent through Registered Post With Acknowledgment Due and in compliance of the said order, notice was sent to respondent, but as the same was returned with endorsement door locked, advocate for petitioner sought permission to serve notice on the counsel of the respondent in the lower Court and this Court accorded permission on 16-12-2015 and the Advocate for petitioner filed memo on 03-02-2016 stating that notice was sent to respondent's counsel both by Registered Post and also personally and the same was served and filed postal acknowledgment and also the endorsement on the letter dated 25-01-2016. In spite of service of notice through his lower Court Advocate, respondent neither appeared in person nor through any Advocate.

4. Considering the reasons stated in the affidavit filed in support of the petition, I am of the view that the request of the wife for transfer of FCOP No.512/2015 from Family Court, Visakhapatnam to Senior Civil Judge, Pittapuram, East Godavari District can be considered.

5. Therefore, petition is allowed and FCOP No.512/2015 is withdrawn from Family Court, Visakhapatnam and transferred to Senior Civil Judge, Pittapuram, East Godavari District for disposal in accordance with law. No costs.

6. As a sequel, miscellaneous petitions, if any, pending in this Tr.CMP., shall stand disposed of.

JUSTICE S. RAVI KUMAR

Date:16.02.2015

mrh

