

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

Tr.CMP.No.196 of 2016

Date:12.04.2016

Between:

Thammannagari Tejaswi

... Petitioner.

AND

Thammannagari Kishore Kumar

...Respondent.

The Court made the following:

THE HON'BLE SRI JUSTICE S. RAVI KUMAR

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Tr.CMP.No.196 of 2016

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ORDER:

This application is filed to withdraw Family Court O.P. No.155/2015 from Family Court, Nellore and transferred the same to IV Additional District Judge-cum-Family Court, Ranga Reddy District at L.B.Nagar where M.C.No.42/2016 is pending.

2. Wife filed this application and according to her affidavit, her marriage was solemnized on 12-12-2013 at Nellore as per Hindu Rights and Customs and after marriage, due to disputes, she was necked out from the house on 03-10-2014 and having no other option, she left the matrimonial home and went to her parental home at Srikalahasti and that respondent sent a notice on 27-03-2015 asking her to join with her husband within 15 days for restitution of conjugal rights and on receipt of that notice, her father, mother and brother along with herself went to Nellore, but they refused to take back her and having no other option, she went back to her residence at Srikalahasti and from there, came down to Hyderabad, where her brother is prosecuting M.Tech., course and thereafter, she issued a reply notice and she also filed a complaint before High Court Legal Services Committee, Hyderabad on 10-04-2015 and after receiving notice in that PLP.No.30/2015, the respondent filed Family Court O.P.No.155/2015 before Family Court, Nellore and she appeared before Family Court at Nellore on 13-9-2015 for reconciliation and after reconciliation proceedings, while she was returning, the respondent followed them and made an attempt to kill her with car bearing No.AP-26-AJ-4004 and that she lodged a complaint before III

Town Police Station, which was registered as Crime No.195/2015 and subsequently, charge sheet was filed, which was numbered as C.C.No.508/2015 before the Judicial Magistrate of First Class-cum-Special Mobile Court, Nellore and thereafter, she filed M.C.No.42/2016 before Family Court, Ranga Reddy. She stated that she is apprehending danger to her life in the hands of respondent at Nellore and she is totally depending upon the mercy of her parents and she has no independent source of income, therefore, she cannot travel all alone from Hyderabad to Nellore to defend the FCOP No.155/2015 before Family Court, Nellore. For these reasons, she prayed for transfer of FCOP No.155/2015 from Family Court, Nellore to IV Additional District Judge-cum-Family Court, Ranga Reddy.

3. This Court permitted the petitioner to take personal notice to respondent through Registered Post With Acknowledgement Due and in compliance of the said order, Advocate for petitioner filed memo on 07-04-2016 stating that the notice was sent to respondent on 30-03-2016 and as per the internet track report of postal department, the article was delivered to respondent on 02-04-2016 and along with the memo, postal receipt and the track report are filed.

4. In spite of receipt of notice on 02-04-2016 as per the postal track report, respondent neither appeared in person nor through any advocate.

5. Heard arguments.

6. Considering the reasons stated in the affidavit, Family Court O.P.No.155/015 is withdrawn from Family Court, Nellore and transferred to IV Additional District Judge-cum-Family Court, Ranga Reddy for disposal in accordance with law.

7. Petition is ordered accordingly and as a sequel, miscellaneous

petitions, if any, pending in this Tr.CMP., shall stand disposed of.

JUSTICE S. RAVI KUMAR

Date:12.04.2016

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