

HONOURABLE SRI JUSTICE S.RAVI KUMAR

TR.C.M.P.No.156 OF 2016

Dated 14-6-2016

Between:

Elepanda Sowjanya.

..Petitioner.

And:

Elepanda Chandra Sekhar.

..Respondent.

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HONOURABLE SRI JUSTICE S.RAVI KUMAR

TR.C.M.P.No.156 OF 2016

ORDER:

This petition is filed to withdraw F.C.O.P.No.1581 of 2015 from Additional Family Court, Visakhapatnam and transfer the same to any competent court in Guntur District.

Wife filed this application. According to her affidavit, her marriage with respondent was solemnized on 11-12-2005 at T.T.D. Kalyana Mandapam, Bhimavaram as per Hindu Rites and Caste Custom and two children were born during their wedlock. She stated that due to disputes, she has been residing at her parents' house in Mangalagiri, Guntur District and she filed M.C.No.50 of 2015 before Additional Junior Civil Judge at Mangalagiri and also lodged a complaint to Women Police Station, Guntur, which is registered as Cr.No.44 of 2015 for the offences under Sections 498-A and 506 I.P.C. read with Sections 3 and 4 of Dowry Prohibition Act and subsequently, police filed charge sheet which is registered as C.C.No.701 of 2015 and it is also pending before Additional Junior Civil Judge at Mangalagiri and that husband filed O.P. for restitution of conjugal rights before Family Court, Visakhapatnam and it is difficult for her to travel from Mangalagiri to Visakhapatnam as she is having two male children of six and four years. She also stated that she is depending on the mercy of her parents and it is difficult for her to meet the travel expenses from Mangalagiri to Visakhapatnam. For this she prayed transfer of O.P. from Visakhapatnam to any court in Guntur

District.

Advocate for respondent opposed application and submitted that respondent is a employee in Railways and it is difficult for him to attend Court other than Visakhapatnam and if for any reason, the request of wife is considered, his presence may be disposed with for each and every adjournment.

I have perused the material papers including affidavit of the petitioner.

As seen from the affidavit, she is resident of Mangalagiri and the two cases filed by her were also pending before Mangalagiri .

Considering the affidavit of wife as Vijayawada is nearer to Mangalagiri, F.C.O.P.No.1581 of 2015 is withdrawn from Additional Family Court, Visakhapatnam and transferred to Family court, Vijayawada for disposal in accordance with law.

Family Court, Vijayawada shall dispense with the presence of respondent herein for each and every adjournment. However, he shall appear as and when his physical presence is necessary for any specific purpose.

Petition is ordered accordingly. No costs.

As a sequel to the disposal of this petition, Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE S.RAVI
KUMAR

Dated 14-6-2016.

Dvs.

HONOURABLE SRI JUSTICE S.RAVI KUMAR

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