

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

TRANSFER CIVIL MISCELLANEOUS PETITION No.40 OF 2014

ORDER:

Heard Sri Ch. C Krishna Reddy, learned counsel for the petitioner.

In fact, Marriage O.P.No.20 of 2013, pending on the file of Senior Civil Judge, Allagadda, Kurnool District, is sought to be withdrawn and to transfer the same to the file of Senior Civil Judge, Gudur, S.P.S.R. Nellore District. The respondent-husband, who filed the said Marriage O.P., shown his address as mentioned in the present Transfer Civil Miscellaneous Petition, and service was also taken out by the petitioner-wife herein as per the directions of this Court. Though, notices were sent, of course, they were not returned. But, when the notice was sent to the address mentioned by the respondent-husband in Marriage O.P., invariably, service ought to be deemed to have been completed. It appears that the respondent-husband is not receiving notice intentionally.

Learned counsel would submit that Marriage O.P. No.20 of 2013 filed for restitution of conjugal rights, and the present Transfer Civil Miscellaneous Petition is of the year 2014 and to avoid hardship to her as it is difficult for the petitioner-wife to travel to Nellore, which is at a distance of about 250 kms, urges to accede to the request.

Keeping in view, the said circumstances, her request is acceded to by allowing the Transfer Civil Miscellaneous Petition.

Therefore, the Transfer Civil Miscellaneous Petition is allowed. Marriage O.P.No.20 of 2013 on the file of Senior Civil Judge, Allagadda, Kurnool District, is withdrawn and transferred to the file of Senior Civil Judge, Gudur, S.P.S.R. Nellore District. The transferee Court shall issue notices to the parties and then proceed with further proceedings. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions if any pending in the Transfer Civil Miscellaneous Petition shall stand closed.

Dt. 06.04.2018
gbs

A.SHANKAR NARAYANA

