

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER CIVIL MISCELLANEOUS PETITION No.458 of 2016

ORDER:

Notice taken out to the respondent has been returned with an endorsement 'addressee is absent for 7 days'. Such notice was taken to him in the address shown by him in the plaint of the suit, from which this matter arises. Since the notice has been offered to him by taking the postal article and with due notice, it is declared that the service of notice on the respondent has been duly completed.

2. Heard learned counsel for the petitioners.
3. The two petitioners are daughters of the respondent. It appears from the pleadings that the respondent and his wife do not cohabit and there appears to be disputes between them as well as the respondent and the petitioners, who are his daughters.
4. The respondent has sued the petitioners before the Court of Senior Civil Judge, Huzurnagar, by filing O.S.No.84 of 2015 seeking cancellation of partition deed and for other reliefs. The petitioners have shown that they, both females, are now residing away from the place of residence of the respondent/plaintiff. They have also shown that the respondent has fair means to carry on with the litigation.

5. On the basis of the materials on record, I am satisfied that sufficient cause has been shown for transfer of O.S.No.84 of 2015 from the Court of Senior Civil Judge, Huzurnagar, to the Court of Senior Civil Judge, Vijayawada, Krishna District, which would enable the petitioners to contest the litigation from near to their place of residence.

6. Hence, this Transfer Civil Miscellaneous Petition, which is not contested, is allowed transferring O.S.No.84 of 2015 from the Court of Senior Civil Judge, Huzurnagar, to the Court of Senior Civil Judge, Vijayawada, Krishna District.

Pending miscellaneous petitions, if any, shall also stand disposed of.



THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 14.12.2018

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