

**THE HON'BLE SRI JUSTICE BANDARU SYAMSUNDER**

**TRANSFER CIVIL MISCELLANEOUS PETITION**

**NO.55 OF 2023**

**ORDER:**

This Transfer Civil Miscellaneous Petition is filed by the petitioner/wife under Section 24 of Code of Civil Procedure (in short 'CPC') seeking transfer of H.M.O.P.No.18 of 2022 from Senior Civil Judge Court, Addanki of Prakasam District to Senior Civil Judge Court, Sathenapalli of Guntur District.

2. The case of the petitioner/wife in brief is that her marriage with the respondent was solemnized on 09.11.2018 in a function hall at Sathenapalli Town of Prakasam District, as per Hindu rites and customs prevailing in their community. The petitioner submits that the respondent harassed her on demand of additional dowry and then she lodged a report before Station House Officer, Sathenapalli Police Station and she also filed D.V.C. and M.C. which are pending before I Additional Junior Civil Judge Court, Sathenapalli. It is also the contention of the petitioner that though the respondent is working in the Fire Station at Sathenapalli Town, he filed petition seeking for divorce before Senior Civil Judge Court,

Addanki, only to cause inconvenience to her and to obtain ex-parte decree of divorce. She prays to allow the petition.

3. I have heard the learned counsel for the petitioner.

4. None appeared for the respondent, though notice sent to him to the address shown in his divorce petition, postal cover delivered as per postal track report filed by the learned counsel for the petitioner.

5. The learned counsel for the petitioner would submit that though the respondent is working in Fire Station at Sathenapalli has chosen to file petition seeking for divorce before Senior Civil Judge Court, Addanki to obtain ex-parte decree of divorce and to cause inconvenience to the petitioner. He prays to allow the petition.

6. Admittedly, the marriage of the petitioner with the respondent was solemnized on 09.11.2018 in a function hall at Sathenapalli Town of Guntur District. The respondent not denied the contention of the petitioner that now he is working in a Fire Station at Sathenapalli Town of Guntur District. A perusal of copy of divorce petition filed by the respondent shows that he has chosen to file petition seeking for divorce stating that they both lastly

resided at Kolalapudi Village of Prakasam District. A copy of the divorce petition filed by the respondent shows that he has been working as fireman in A.P Fire Department at Sathenapalli since 2013 onwards and he has set up his family at Sathenapalli Town in a rented house, which itself shows that the respondent is working in fire department at Sathenapalli Town and both have resided at Sathenapalli Town. It is also not in dispute that maintenance case and D.V.C. case filed by the petitioner are pending before I Additional Junior Civil Judge Court, Sathenapalli. After considering the facts and circumstances of the case as the respondent is also working in fire station at Sathenapalli Village, this Court is of an opinion that it is a fit case to transfer H.M.O.P.No.18 of 2022 from Senior Civil Judge Court, Addanki of Prakasam District to Senior Civil Judge Court, Sathenapalli of Guntur District.

7. In the result, this transfer civil miscellaneous petition is allowed. The H.M.O.P.No.18 of 2022 on the file of Senior Civil Judge Court, Addanki of Prakasam District is hereby withdrawn and transferred to the Senior Civil Judge Court, Sattenapalli of Guntur District. The learned Senior Civil Judge, Addanki shall transmit the case records in H.M.O.P.No.18 of 2022 to the Senior

Civil Judge, Sattenapalli duly indexed as expeditiously as possible within a period of two (02) weeks from the date of receipt of orders of this Court in the present petition.

8. Both parties shall appear before the Senior Civil Judge Court, Sattenapalli of Guntur District on 14.07.2023. No order as costs.

Consequently, miscellaneous petitions, if any, shall stand closed. The interim stay granted if any, shall stand vacated.

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**JUSTICE BANDARU SYAMSUNDER**

Date: 14.06.2023  
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