

[3397]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE SIXTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO

TRANS. CIVIL MISC.PETITION NO: 43 OF 2026

Between:

Nakka Vijetha @ Martin Vijetha,, W/o. Lakshmi Narayana, Aged about 38 years, Occ. Unemployed R/o. D. No. 13-574/2, Sundarayya Nagar, Arilova, Visakhapatnam-40

Petitioner/Respondent

AND

Nakka Lakshmi Narayana, S/o. Late Jagannadam, Aged about 42 years, Occ. Unknown, Rio. D. No. 15-80, S.C. New Colony, Beside Ramakrishna Theatre, Duvva Village, Tanuku Mandalam, W.G. District.

Respondent/Petitioner

Petition Under Section 24 of C.P.C, is filed Praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to withdraw the D.OP NO. 270 OF 2025 on the file of IVth Additional District Judge, Tanuku and transfer the same to Family Court Visakhapatnam.

IA NO: 1 OF 2026

Petition Under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in D.O.P. No. 270 of 2025 on the file of the IV Additional District Judge, Tanuku Pending disposal of TRCMP 43 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI AISHWARYA NAGULA Advocate for the Petitioner, and the Court made the following.

AISHWARYA NAGULA Advocate for the Petitioner, and the Court made the following.

ORDER:

“Heard learned counsel for the petitioner.

The averments mentioned in the affidavit filed by the petitioner/wife prima facie shows that in view of the matrimonial disputes, the petitioner/wife has been residing separately in her parents’ house at Visakhapatnam.

The petitioner/wife herein has instituted two (2) cases against the respondent/husband i.e. F.CO.P.No.1790 of 2015 on the file of the Judge, Family Court, Visakhapatnam, seeking maintenance from the respondent/husband and Domestic Violence Case vide D.V.C.No.19 of 2018 on the file of the Chief Metropolitan Magistrate, Visakhapatnam, the same are pending for adjudication.

The petitioner/wife further pleaded that to cause inconvenience and to harass her, the respondent/husband herein had filed a divorce petition vide D.O.P.No.270 of 2025, on the file of the IV Additional District Judge, Tanuku, under Section 10(IX)(X) of the Indian Divorce Act, 1869, seeking for dissolution of the marriage and the same is also pending for adjudication.

The averments mentioned in the affidavit of the petitioner/wife prima facie further go to show that, the distance between Visakhapatnam & Tanuku is more than 250Kms and it is difficult for the petitioner/wife to travel to attend the divorce case proceedings which was filed by the respondent/husband herein before the Court at Tanuku on each and every adjournment without any male assistance and as such, the petitioner/wife is constrained to file the present transfer petition.

Perused the record.

Considering the submissions made by learned counsel for the petitioner and for the reasons mentioned in the accompanying affidavit, there shall be an order of Interim Stay of all further proceedings including

appearance of the petitioner herein i.e. respondent, in D.O.P.No.270 of 2025 on the file of the IV Additional District Judge, Tanuku, till 09.03.2026.

Learned counsel for the petitioner is permitted to take out personal notice to the respondent through Speed Post with Acknowledgment Due and file proof of service in the Registry."

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Judge, Family Court, Visakhapatnam,
2. The IV Additional District Judge, Tanuku
3. NAKKA LAKSHMI NARAYANA, S/o. Late Jagannadam, Aged about 42 years, Occ. Unknown, Rio. D. No. 15-80, S.C. New Colony, Beside Ramakrishna Theatre, Duvva Village, Tanuku Mandalam, W.G. District. (by RPAD)
4. One CC to SRI. AISHWARYA NAGULA Advocate [OPUC]
5. One spare copy

HIGH COURT

VGKR,J

DATED: 16/02/2026

POST THE MATTER ON 09.03.2026

ORDER

TRCMP.No.43 of 2026

DIRECTION

