

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.Tr.C.M.P.57 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01.	21.02.2025	<u>VGKR, J</u> <u>I.A.No.1 of 2025</u> Heard learned counsel for the petitioner. Learned counsel for the petitioner contends that the respondent is none other than the wife of the petitioner/husband. Due to matrimonial disputes between both the spouses, the petitioner/husband has been residing separately at Tirupati, Chittoor District and the respondent/wife has been residing at Nellore along with her parents. He would further contend that the respondent/wife has lodged a complaint dated 14.07.2024, in F.I.R.No.96 of 2024, under Section	

		498-A of I.P.C. and Sections 3 & 4 of Dowry Prohibition Act, 1961, before Totapalli Police Station, Gudur and the same is pending for investigation and she also filed F.C.O.P.No.191 of 2023 on the file of the Family Court-cum-VI Additional District Judge, Nellore, under Section 9 of Hindu Marriage Act, 1955, seeking restitution of conjugal rights, the same is pending for adjudication. Learned counsel for the petitioner would contend that petitioner/husband has filed F.C.O.P.No.145 of 2023 on the file of the Family Court-cum-V Additional District Judge, Tirupati, under Section 13(1)(ia) of Hindu Marriage Act, 1955, seeking dissolution of the Marriage, the same is also pending for adjudication. Learned counsel for the petitioner would fairly contend that both the cases i.e., F.C.O.P.No.191 of 2023 and F.C.O.P.No.145 of 2023, have to be	
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		tried by the same Judge at Nellore and that the petitioner/husband wants to travel from Tirupati to Nellore, where the respondent/wife is residing. He would further contend that the enquiry in F.C.O.P.No.145 of 2023 is yet to be commenced by the Family Court-cum-V Additional District Judge, Tirupati and hence the limited stay may be granted. Perused the record. Considering the submissions made by the learned counsel for the petitioner and for the reasons mentioned in the accompanying affidavit, there shall be an Interim Stay of all further proceedings including the appearance of the petitioner herein in F.C.O.P.No.145 of 2023 on the file of the Family Court-cum-V Additional District Judge, Tirupati, till 17.03.2025. Learned counsel for the petitioner is permitted to take out personal notice	
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		to the respondent as well as to the learned counsel on record appearing for the respondent before the trial Court in F.C.O.P.No.145 of 2023, through Registered Post with Acknowledgment Due and file proof of service before the Registry. _____ VGKR, J <u>Tr.C.M.P.57 of 2025</u> Admit. Issue notice to the respondent. Post the matter on 17.03.2025. _____ VGKR, J CVD	
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