

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MONDAY, THE SEVENTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO



IA No. 1 OF 2025

IN

TRCMP NO: 78 OF 2025

Between:

Telkar Harathi, W/o Jade Ranganath Rao, D/o T.Rama Rao, Aged about 22 Years, R/o D.No.2- 57, Upparahal Village, Kowthalam Mandal, Kurnool District, Andhra Pradesh.

...Petitioner

(Petitioner in TRCMP 78 OF 2025

on the file of High Court)

AND

Jhade Ranganath Rao, S/o Late Jhade Ganga Ram, Aged about 35 Years, Hindu, Tailor, R/o H.No.10/232, Jain Temple Street, Anjuman Street, Guntakal Town & Mandal, Anantapur District Andhra Pradesh. Pin Code 515801

...Respondent

(Respondents in-do-)

Counsel for the Petitioner :SRI VIVEKANANDA VIRUPAKSHA

Counsel for the Respondent :---

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to grant stay of the proceedings in H.M.O.P.No.171 of 2024 on the file of the Learned Senior Civil Judge, Gooty, Pending disposal of TRCMP No. 78 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER:

“Heard Sri Vivekananda Virupaksha, learned counsel for the petitioner.

Learned counsel for the petitioner contends that the petitioner is none other than the wife of the respondent/husband, due to the matrimonial disputes between both the parties, the petitioner/wife is residing separately at her parents’ house at Upparahal Village, Kowthalam Mandal, Kurnool District.

He would further contend that the petitioner had lodged a complaint before the Kowthalam Urban Police Station, Kurnool under Section 85 r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3 & 4 of the Dowry Prohibition Act, 1961. Thereafter, a charge sheet was also filed vide C.C.No.77 of 2025, on the file of the II Additional Junior Civil Judge, Adoni and the same is pending and the respondent/husband is attending the Court proceedings in the aforesaid case before the competent court.

He would further contend that to cause unnecessary inconvenience to the petitioner/ wife the respondent/husband had filed H.M.O.P.No.171 of 2024, on the file of the Senior Civil Judge, Gooty, under Section 13(1)(ia) of the Hindu Marriage Act, 1955, seeking dissolution of marriage. He would further contend that the distance between Kurnool and Gooty is approximately 95kms, and therefore, it is very difficult for the petitioner having two children to appear before the Senior Civil Judge, Gooty, on each and every adjournment without any male support and that the petitioner/wife is constrained to file the present transfer petition.

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 on all further proceedings including the appearance of the petitioner i.e., the respondent in H.M.O.P.No.171 of 2024, on the file of the Senior Civil Judge, Gooty.

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

SD/-B.CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

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To,

- 1) The Civil Judge (Senior Division), Gooty
- 2) The II Additional Junior Civil Judge, Adoni
- 3) The S.H.O., Kowthalam Urban Police Station, Kurnool
- 4) Jhade Ranganath Rao, S/o Late Jhade Ganga Ram, Aged about 35 Years, Hindu, Tailor, R/o H.No.10/232, Jain Temple Street, Anjuman Street, Guntakal Town & Mandal, Anantapur District Andhra Pradesh. Pin Code 515801(By RPAD)
- 5) One CC to SRI. VIVEKANANDA VIRUPAKSHA Advocate [OPUC]
- 6) One spare copy

KJ

HIGH COURT

VGKR,J

DATED:17/03/2025

POST THE MATTER ON 30.04.2025

ORDER

IA No. 1 OF 2025

IN

TRCMP.No.78 of 2025

INTERIM STAY

