

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FIFTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA KRISHNA RAO

IA No. 1 OF 2025

IN

TRCMP NO: 96 OF 2025

Between:

Donthu Sudharani, W/o. Pilligoila Siva Sankar, D/o. Donthu Sreeramulu, Aged about 25 years, Occ House wife, Residing at House No. 11-44 Upparapeta, near Panyam Bus stand. Panyam village and Mandal, Nandyal District.

...Petitioner(s)

(Petitioner/Petitioner in TRCMP 96 OF 2025

on the file of High Court)

AND

Pilligoila Siva Sankar, S/o.P.Sivaiah, Aged 32 years, working in Zuari Cement Company safety department engineer, R/o. Door No.3/536-53-2, Sree Ramanjaneyapuram Yerraguntla town and mandal, Kadapa District

...Respondent(s)

(Respondent in-do-)

Counsel for the Petitioner :SRI V NITESH

Counsel for the Respondent :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings in H.M.O.P. No. 153 of 2023 pending on the file of Senior Civil Judge / Hon'ble Civil Judge (Senior Division) at Proddatur, YSR District, Pending disposal of TRCMP No. 96 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).

ORDER:

Heard learned counsel for the petitioner.

Learned counsel for the petitioner contends that the petitioner is none other than the wife of the respondent/husband, and due to the matrimonial disputes between both the parties, the petitioner/wife is residing separately at her parents' house at Panyam Village, Nandyal District.

He further contends that the petitioner had lodged a complaint in Cr.No.136 of 2023 before the Panyam Police Station, Nandyal District, under Section 498-A read with 34 of the IPC and under Sections 3 and 4 of the Dowry Prohibition Act, 1961. He contends that the police had filed a charge sheet vide C.C.No.164 of 2024 on the file of the learned Additional Junior Civil Judge-cum-Judicial First Class Magistrate, Nandyal. He further contends that the petitioner had filed a maintenance case vide M.C.No.23 of 2024 on the file of the learned Judicial First Class Magistrate, Nandyal. He further contends that the petitioner had also filed a domestic violence case vide DVC.No.10 of 2024 on the file of the learned Judicial First Class Magistrate, Nandyal, and both the above said cases are pending and the respondent/husband is attending the Court proceedings in the aforesaid cases before the competent Court.

He further contends that to cause unnecessary inconvenience to the petitioner/wife, the respondent/husband had filed HMOP No. 153 of 2023 on the file of the learned Senior Civil Judge, Proddatur, under

Section 13 (1) (ia) of the Hindu Marriage Act, 1955, seeking dissolution of marriage.

He further contends that the distance between Srikalahasti and Proddatur is approximately 100 kms, and therefore, it is very difficult for the petitioner/wife, having a female child, to appear before the learned Senior Civil Judge, Proddatur, on each and every adjournment without any male support and thus, 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 interim stay on all further proceedings including the appearance of the petitioner i.e., the respondent in HMOP No.153 of 2023 on the file of the learned Senior Civil Judge, Proddatur, till the next date of hearing.

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 by the next date of hearing.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR

AS SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Senior Civil Judge / Civil Judge (Senior Division) at Proddatur, YSR District.
2. The Judicial First Class Magistrate, Nandyal, Kurnool District

3. Pilligoila Siva Sankar, S/o.P.Sivaiah, Aged 32 years, working in Zuari Cement Company safety department engineer, R/o. Door No.3/536-53-2, Sree Ramanjaneyapuram Yerraguntla town and mandal, Kadapa District (**By RPAD**)
4. One CC to SRI. V NITESH Advocate [OPUC]
5. **One spare copy**

PSR

HIGH COURT

VGKR,J

DATED:25/03/2025

NOTE: LIST THE MATTER ON 07.05.2025.

ORDER

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INTERIM STAY

