

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA
KRISHNA RAO

IA No. 1 OF 2025

IN

TRCMP NO: 114 OF 2025

Between:

Chekuri (Datla) Durga Bhavani, D/o Datia Seetha Ramaraju, Hindu,
aged 31 years, R/o 3-7/2, Kalavapudi Garuvu Village Kalavapudi Post,
West Godavari District - 534236

...Petitioner/Respondent

(Petitioner in TRCMP 114 OF 2025

on the file of High Court)

AND

Chekuri Venkata Satya Surya Narayana Raju, S/o Venkata Raju, Hindu,
aged 35 years, R/o D.No. 2-3-7, Sri Raja Nilayam, Ramnagar, B.H.P.V.
Post, Gajuwaka, Visakhapatnam - 12

...Respondent/Petitioner

(Respondents in-do-)

Counsel for the Petitioner :SRI K V ADITYA CHOWDARY

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 stay all further proceedings in F.C.O.P. No
203 of 2024 pending on the file of the Family Court, Visakhapatnam; Pending
disposal of TRCMP No. 114 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 Sri K.V.Aditya Chowdary, 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 Kalavapudi Garuvu Village, West Godavari District at her parents' house.

He would further contend that the petitioner had filed a Maintenance Case vide M.C.No.05 of 2024 and a Domestic Violence Case vide D.V.C.(SR).No.6368 of 2024, on the file of the on the file of the Additional Junior Civil Judge, Bhimavaram, West Godavari District and the same are pending for adjudication. The petitioner further pleaded that she had also filed H.M.O.P.No.55 of 2024, on the file of the Senior Civil Judge, Bhimavaram, West Godavari District, under Section 9 of the Hindu Marriage Act, 1955, seeking for restitution of conjugal rights and the respondent/husband is attending the court proceedings in the aforesaid cases before the competent Courts at Bhimavaram, West Godavari District.

Learned counsel for the petitioner would contend that to cause unnecessary inconvenience to the petitioner/wife, the respondent/husband has filed F.C.O.P.No.203 of 2024, on the file of the Family Court, Visakhapatnam, under Section 13(1)(ia) of the Hindu Marriage Act, seeking for dissolution of marriage. He would further contend that the distance between Kalavapudi Garuvu Village, West Godavari District and Visakhapatnam is approximately more than 200kms, and therefore, it is very difficult for the petitioner to appear

before the Family Court, Visakhapatnam, 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 F.C.O.P.No.203 of 2024, on the file of the Family Court, Visakhapatnam, till 08.05.2025.

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/- SK. MD. RAFI
/ ASSISTANT REGISTRAR

//TRUE COPY//

For A SECTION OFFICER

To,

1. The Family Court, Visakhapatnam
2. The Senior Civil Judge, Bhimavaram, West Godavari District
3. I Additional Junior Civil Judge, Bhimavaram, West Godavari District
4. Chekuri Venkata Satya Surya Narayana Raju, S/o Venkata Raju, Hindu, aged 35 years, R/o D.No. 2-3-7, Sri Raja Nilayam, Ramnagar, B.H.P.V. Post, Gajuwaka, Visakhapatnam – 12 (By RPAD)
5. One CC to SRI. K V ADITYA CHOWDARY Advocate [OPUC]
6. One spare copy

Kj

HIGH COURT

VGKR,J

DATED:04/04/2025

POST THE MATTER ON 08.05.2025

ORDER

IA No. 1 OF 2025

IN

TRCMP.No.114 of 2025

INTERIM STAY

