

**IN THE COURT OF THE SPL. JUDL. MAGISTRATE OF I CLASS,  
EXCISE COURT, ONGOLE.**

Present: **Smt. M.Sudha,**  
Special Judicial Magistrate of I Class, Excise Court, Ongole.

Monday, this the 16<sup>th</sup> day of October, 2017.

**D.V.C.No. 8 of 2015**

Between:

Guduri Niroosha,  
Wife of Dakshnamurthy, aged about 23 years,  
Chadalawada Village, Naguluppalapadu Mandal,  
Prakasam District. **.. Petitioner**

AND

1. Guduri Dakshina Murthy,  
Son of Ranganayaukulu, aged about 36 years,  
Hindu, cooly.
2. Neralla Mahalakshmi,  
Wife of Rambabu, aged about 34 years.  
Both are residents of Chadalawada village,  
Naguluppalapadu Mandal, Prakasam District. **.. Respondents**

This case coming on 10.10.2017 for final hearing before me in the presence of Sri **K.Siva Prasad**, Advocate for Petitioners and of Sri **P.Venkateswara Rao**, Advocate for the respondent, on hearing the learned counsels for both parties and upon perusing the material available on record and having stood over for consideration till this day, this court made the following:

**// O R D E R //**

This petition is filed by the petitioner under Section-12 of Domestic Violence Act praying the Court to direct 1<sup>st</sup> Respondent to pay monthly maintenance of Rs.10,000/- per month from the date of filing of this petition under Section 20 of Domestic Violence Act. (2) To provide residential accommodation to the petitioner either in the house of 1<sup>st</sup> respondent or suitable rented accommodation under Section 19 of Domestic Violence Act. (3) To grant protection to the petitioner against Respondents 1 and 2 under Section 18 of the Domestic Violence Act. (4) To direct the respondents to pay compensation of Rs.2,00,000/- for causing mental distress under Section 22 of Domestic Violence Act and (5) to pay costs of the petition.

2. The brief averments of the petition are that: the marriage of the petitioner was solemnized with the 1<sup>st</sup> respondent on 19.02.2006 as per Hindu sastras. As demanded by respondents 1 and 2 their mother Poleru, parents of the petitioner gave them Rs.2,00,000/- cash before the marriage for the purpose of marriage, the petitioner joined 1<sup>st</sup> respondent and lead marital life in in-laws house, after some time they started harassing the petitioner to get additional dowry of Rs.3,00,000/- from her parents. After one year of marriage father of R1 died, R1, his mother and younger sister Mahalakshmi used to reside in the house, for the last about 3 years Mahalakshmi along with her daughter Amani and son Bhaji residing in that house as she had deserted her husband. 2<sup>nd</sup> respondent is younger sister of 1<sup>st</sup> respondent. Respondents 1 and 2, their mother Poleru used to abuse the petitioner unnecessary keeping in mind their unlawful demand of additional dowry of Rs.3,00,000/-, they did not provide regular food to the petitioner, they used to harass the petitioner every day without her faults, as the petitioner could not get additional dowry of Rs.3,00,000/- from her parents, respondents have increased the harassment, they also put conditions that the petitioner shall not talk with her parents and that she shall not go to their house and see them even, the petitioner bore the torture. On 11.05.2012 while the petitioner was returning home after attending calls of nature outside the village she came across her mother, she was talking with her mother, on seeing the same Respondents 1 and 2 and their mother Poleru came upon the petitioner and beat her, when the petitioner's father rushed there and tried to rescue his daughter, he was fallen down, 1<sup>st</sup> respondent beat the petitioner with brick on her head and caused bleeding injuries, 2<sup>nd</sup> respondent bite the petitioner's father on his left eyebrow and nose and caused bleeding injury, after the said attack, the petitioner was shifted to RIMS Hospital, Ongole, where police recorded her statement. A case in Crime No.46/2012 was registered by Naguluppalapadu police

under Section 324, 323 and 498(A) read with 34 of IPC and also under Section 3 and 4 of Dowry Prohibition Act, since her discharge from hospital, the petitioner is living in the house of her parents under their mercy as the respondent and her mother did not allow her into their house, 1<sup>st</sup> respondent did not see her and did not provide any maintenance to the petitioner.

Further mother of 1<sup>st</sup> respondent died on 16.04.2013, when the petitioner wanted to see her dead body, respondents 1 and 2 did not allow the petitioner, request through village elders was also refused by respondents 1 and 2. Moreover, 1<sup>st</sup> respondent threatened before the elders that if the petitioner comes to his house even to see his mother's dead body, he will commit suicide. Even during life of 1<sup>st</sup> respondent's mother, they all openly expressed that 1<sup>st</sup> respondent wanted to marry 2<sup>nd</sup> respondent's daughter Amani after getting the marriage dissolved, moreover 1<sup>st</sup> respondent used to suspect the fidelity of the petitioner. Though 1<sup>st</sup> respondent's mother was lepper, the petitioner rendered utmost service during her stay in their house, in all way and means 1<sup>st</sup> and 2<sup>nd</sup> respondents dishonestly committed domestic violence against the petitioner. 1<sup>st</sup> respondent owned and possessed Ac.16-00 cents besides the house property in Chadalawada village, from the land of 1<sup>st</sup> respondent used to earn Rs.18,000/- per acre for one year, so his annual income from lands is Rs.2,88,000/-, 1<sup>st</sup> respondent is mason, Tiles and Marbles maistry earning Rs.1,000/- to Rs.2000/- per day. He sold away the sites in Chadalawada and in Ongole and he possessed the cash of sale consideration, whereas the petitioner has no properties or any source of income for her survival. The petitioner has no residential accommodation and no income, the petitioner apprehends life danger at the hands of respondents 1 and 2, in the present days the petitioner requires Rs.10,000/- per month towards maintenance and also residential accommodation to his

house or alternative accommodation, she shall requires protection and prays the Court for the following reliefs:

- a) To direct 1<sup>st</sup> Respondent to pay monthly maintenance of Rs.10,000/- per month from the date of filing of this petition under Section 20 of Domestic Violence Act.
- b) To provide residential accommodation to the petitioner either in the house of 1<sup>st</sup> respondent or suitable rented accommodation under Section 19 of Domestic Violence Act.
- c) To grant protection to the petitioner against Respondents 1 and 2 under Section 18 of the Domestic Violence Act.
- d) To direct the respondents to pay compensation of Rs.2,00,000/- for causing mental distress under Section 22 of Domestic Violence Act and
- e) Costs of the petition.

3. The 1<sup>st</sup> respondent filed counter denying the averments of the petitioner and 2<sup>nd</sup> respondent submitted memo adopting the counter of 1<sup>st</sup> respondent and further contented that the mother of the respondents died on 16.04.2013 who is A2 in C.C. 212/2012, in fact the house of the petitioner parents is situated within the distance of 40 to 50 yards only, but the petitioner or her parents never came to see the dead body mother of respondent Viz. Poleramma. Further submits that as mentioned in the petition that the respondent is intend to marry one Amari who is the daughter of 2<sup>nd</sup> respondent, as such the said Amani is 15 years old, she was studying 10<sup>th</sup> class, the 1<sup>st</sup> respondent is aged 37 years and it is clearly shows that the petitioner made allegation against the said girl with criminal intention with view to illegal imagination only and he never suspected the fidelity of the petitioner at any point of time as alleged by the petitioner and the petitioner falsely alleged that the mother of 1<sup>st</sup> respondent was lapper. Further submits that 1<sup>st</sup> respondent filed H.M.O.P. No.58/2011 on 01.08.2011 on

the file of Additional Senior Civil Judge's Court, Ongole, the petitioner appeared before the Court at initial stage, but she did not file her counter and due to the said reason the said OP was decreed in favour of this respondent on 27.01.2014 by dissolving the marriage in between the 1<sup>st</sup> respondent and petitioner, after demise of his mother Poleramma, the parents of the petitioner are raised their voice to re-union of the 1<sup>st</sup> respondent and petitioner with evil ideas in the same manner the petitioner filed a petition HM OP 58/2011 to set aside the decree of dissolution of their marriage after began the trial in C.C.No.212/2012 before this Court with a view to grab the property of Poleramma as wife of 1<sup>st</sup> respondent. Further submits that 1<sup>st</sup> respondent never owned and possessed any landed property or house property in Chadalawada village in his name as alleged by the petitioner, in fact the properties are having late Poleramma all are her self acquired, there are no ancestral properties of 1<sup>st</sup> respondent, during the life time of deceased Poleramma was settled the properties in the name of 2<sup>nd</sup> respondent with limited rights as she is only look after her welfare and day to day needs with love and affection in her last days, the same was well aware to one and all in the village including the petitioner and her parents, that to the 1<sup>st</sup> respondent is masanory coolie, he is earning Rs.350/- to Rs.400/- per day for 10 to 15 days only a month, but not Rs.1,000/- to Rs.2,000/- per day and it was falsely shown as annual income of Rs.2,88,000/- of 1<sup>st</sup> respondent without any proofs and baseless imagination with evil ideas and the 1<sup>st</sup> respondent is dependent upon his sister for his necessities and for livelihood and the petitioner made all the allegations by creating a story, hence respondents prays to dismiss the petition.

4. During the course of enquiry, to prove the petitioner's case, the petitioner-Guduri Niroosha is examined as P.W.1, besides examining P.Ws.2 and 3 and marked Exs.P1 to P3.

On behalf of the respondent R.W.1 is examined and no documents were marked on respondent side.

5. Heard the learned counsels for both parties.
6. Perused the material on record.
7. Now the points for determination are:
  1. Whether the petitioner is entitled for maintenance from the respondent Rs.10,000/- per month as prayed for?
  2. Whether the petitioner is entitled for residential order as accommodation either in the house of house or in suitable rental residential house under Section 19 of the Act?
  3. Whether the petitioner is entitled for protection orders against Respondents 1 and 2 under Section 18 of the Act?
  4. Whether the petitioner is entitled for compensation of Rs.2,00,000/- from the respondent for causing mental agony and emotional distress caused by the acts of the respondents?
  5. Whether the petitioner is entitled for costs?

**POINT No.1:-**

8. It is seen from the records on appreciating the evidence from the petitioner side, at first the petitioner evidence is considered, it is nothing but the petition allegations particularly to show that her marriage with R.W.1 was performed on 19.02.2006 at Tirupathi. After their marriage they lead happy marital life for 2 years, there after 2<sup>nd</sup> respondent came with her children to her in-law's house (R1's house) and R.W.1 demanded additional dowry of Rs.2,00,000/- from the petitioner, 2 or 3 time the husband of 2<sup>nd</sup> respondent came to take back of 2<sup>nd</sup> respondent, but she did not go along with her husband, still second respondent is residing at her in laws house. Thereafter, his mother in law and second respondent were talking about performing marriage of the daughter of 2<sup>nd</sup> respondent with his husband. Further deposed that she was ill treated by her in laws along with 1<sup>st</sup> respondent and necked her out from matrimonial home, in spite of it

she stayed that her in laws house and they did not provide her necessities and they did not allow her to take money for her necessities. Further the respondents used to beat her and suspect her fidelity and demanded her to promise on bible. Accordingly, she has taken oath by stating that she has no any illegal intimacy with anyone. Then, she informed to her father and unable to bare the harassment she came to her parents house. Subsequently, the 1<sup>st</sup> respondent send a divorce notice by alleging that she left the company of the respondent after 16<sup>th</sup> day ritual, after receipt of the said notice they approached one Ramaswamy and Pothuraju for re-union and not for divorce and on their advise they lodged a report, police made counseling for 2 days. Thereafter, the first respondent agreed to take her to matrimonial house and accordingly joined the first respondent thereafter they lead happy marital life. Again after 2 or 3 months, in spite of she joining with 1<sup>st</sup> respondent he has continued the divorce proceedings, at that time of taking her to matrimonial home by first respondent, he put up a condition that she should not speak with her parents and shall not go to their parents house and her parents should left the village. But, the elders advised her parents not to left the village. Thereafter, the respondent again started ill treating her, she did not speak with her parents for 9 months. On one day, when she went to calls of nature out side the house, there she found her mother and she has informed to her mother about ill treatment of the respondents. In the meantime, the 2<sup>nd</sup> respondent came to the said place and observed her and abused her in filthy language. Then, she went to her in laws house, the 2<sup>nd</sup> respondent also went upon her father, the 1<sup>st</sup> respondent beat her with brick stone and caused bleeding injury to her father and he was shifted to RIMS hospital, Ongole. Thereafter she has lodged a report against the respondent. The said case was ended in conviction, at present she is living along with her parents, her mother in law died about 3 years ago. The

respondent never gave any amounts to her to meet her necessities. She also deposed that the 1<sup>st</sup> respondent is working as mason and he is having 10 workers under him and he used to earn Rs.2000/- per day. He was also doing finance business and having Ac.16-00 of land besides own house at Chadalawada village. At present 1<sup>st</sup> and 2<sup>nd</sup> respondents along with the children of the 2<sup>nd</sup> respondent are living in the said house. The respondent also used to get 3 or 4 lakhs per annum on Ac.16-00 of land and she has no movable or immovable properties and she has no any source of income, she is not having shelter, she is depending upon her father, she is willing to join with 1<sup>st</sup> respondent.

9. Whereas, P.W.2 who is father of P.W.1 corroborated the evidence of P.W.3 who is an independent witness also who is resident of Chadalawada speaks that after one or 2 years of marriage of 1<sup>st</sup> respondent and P.W.1, P.W.1 came to her parents house and approached him and asked him to took her to the house of the 1<sup>st</sup> respondent. Thereafter, he was informed that the 1<sup>st</sup> respondent intended to marry daughter of 2<sup>nd</sup> respondent. Later she came to police station and gave report, police made counseling, thereafter himself and one Rama Rao took her to respondent house, after 6 months while petitioner returning from calls of nature while she was talking with her mother, the first respondent beat her, later she reported the matter to the police. She further speaks that 1<sup>st</sup> respondent get Rs.500/- by doing masonry works. He is getting 20 to 30 thousands on lease of agricultural land for one year and petitioners are three children to their parents. Petitioner father is doing coolie works, at present the petitioner is staying at her parents house.

10. From all this above discussion, there is no dispute with regard to the marriage of P.W.1 with R.W.1 took place on 19.02.2016. It is also



an undisputed fact that the main contention of the petitioner that the respondent after marriage of 2 years harassed P.W.1 by demanding additional dowry and also with a view to get marry with the daughter of his sister i.e. 2<sup>nd</sup> respondent daughter.

11. Whereas the contention of the respondent is after their marriage, P.W.1 lived only 10 days with him herein, at the time of his mother suffering from ill health, on seeing the same the petitioner did not lead marital life with him alleging that his mother is suffering from ill health i.e., leprosy, though his mother is not suffering with leprosy and she is also in good condition. After death of his father, so also at the time of death of his mother, petitioner or her parents never came to see the dead body. Further deposed that he waited for 4 years, but she did not return back. Later he filed HMOP 58/2011 on the file of Additional Senior Civil Judge's Court, Ongole and he never demanded the petitioner for cash of additional dowry that Rs.3,00,000/-. In the year 2014 divorce was granted on 27.01.2014 and 2<sup>nd</sup> respondent and her children came to his house in the year 2012 to look after the welfare of his mother since his mother is suffering from ill health. Petitioner also gave police report against him and his parents under Section 498-A IPC. Further deposed that the daughter of 2<sup>nd</sup> respondent Viz. Amani who is aged about 15 years and he never intended to marry her, he is working as mason and getting Rs.300/- to Rs.400/- as cooly and he did not work as mason mastery and petitioner father is worked as masonry mastery. Further deposed that he is cultivating agricultural lands of his parents and getting Rs.5000/- per acre. After the death of his parents they partitioned their land and 2<sup>nd</sup> respondent got Ac.3.38 cents as her share and petitioner studied up to 7<sup>th</sup> class and maintaining video and colour xerox and photo studio at Chadalawada.

12. What ever the allegations attributed against each other, the fact remains that earlier the petitioner filed Criminal case No.212/2012 under Sections 498-A, 323 and 324 IPC and it was ended with conviction against 1<sup>st</sup> respondent and 2<sup>nd</sup> respondent and same was admitted by the respondent himself and 2<sup>nd</sup> respondent convicted under Section 498-A for Rigorous Imprisonment of 3 years each and Rs.5,000/- fine, so also under Section 324 IPC with 3 years punishment to each and Rs.5,000/- fine and under Section 323 IPC punishment 6 months each and Rs.1,000/- fine was imposed in this Court.

It is undisputed fact that even for argument sake that the petitioner without his consent left his company and stayed nearly 3 years as contended by him is true and correct, what steps were taken by him by filing any petition, neither he issued notice for restitution of conjugal rights under Section 9 of Hindu Marriage Act. On the other hand the court has to appreciating the evidence in both the cases in different manner i.e., from filing criminal case against R1. Even for arguments sake the petitioner filed DVC case against the respondent. The respondent contention that the petitioner lived only 10 days with the respondent, later she left his company is true and correct, he would have mention in his petition and in HM OP No. 58/2011 that P.W.1 lived with him only for 10 days, but it was not find place in the said OP. Further in his evidence categorically stated that there is no dispute between himself and P.W.3, in such a case if the evidence of P.W.1 is eliminating, what is the necessity to P.W.3 to speak against the respondent particularly with regard to P.W.1 and R.W.1 dispute

13. As per petitioner version she has been claiming that the respondent necked out her and as such she has no other go, she went to her parents house and living there on the mercy of her parents, as such she has no income to maintain herself. On the other hand, the respondent contended that he is getting Rs.350/- to Rs.400/- per day

by doing masonry works. The above foregoing reasons, the petitioner is legally wedded wife of respondent, even though the respondent is contended that the petitioner voluntarily left his house, but this Court finds that the petitioner has no necessity to leave with the respondent without any sufficient reason as already discussed above, the petitioner has contended that the 2<sup>nd</sup> respondent left her husband and came to her parents house, from there onwards disputes started for which the respondent did not choose to examine any independent witnesses to prove that the 2<sup>nd</sup> respondent is leading her marital life with her husband. Therefore considering the entire evidence on record, the reasons assigned by the petitioner is most convincing than the reasons assigned by the respondents as such the petitioner is being legally wedded wife of the 1<sup>st</sup> respondent, she certainly entitled to claim maintenance from 1<sup>st</sup> respondent.

14. It is seen from the evidence of P.W.1 and R.W.1, admittedly the respondent is working as mason and getting Rs.350/- to Rs.400/- per day. As per P.W.1 evidence, he is getting Rs.2,000/- per day. Now the burden shifts to R1 that he is not getting any income for Rs.2,000/- per day and so also from his landed property. Even if he claims that he has no income, it can not be considered without positive evidence. In this regard, it is necessary to point out that initially R1 has denied the case of the petitioner that he got properties, but petitioner proved by filing necessary documents that he got movable properties and in his cross examination also he admitted that on 02.08.2012 himself and 2<sup>nd</sup> respondent partitioned his father's property, so also his mother properties under Ex.P1 and as per the said partition he got Ac.11.30 cents and agricultural land, so also RCC building in Door No.2-26 of Chadalawada village as his share. Further admits that as per Ex.P1 the value of Ac.11.30 cents and house property is Rs.37,40,000/-. But, he did not mention it in his evidence about the property particulars.

Further admits that he did not pay a single rupee to P.W.1 till today. Further he admits that there is no documentary proof to show that petitioner is running colour Xerox and also Audio and Video shop and getting Rs.20,000/- to Rs.30,000/- per months. Thus, it is clear that the landed property and house property are in his name, as such 1<sup>st</sup> respondent is having sufficient source of income from his properties. Hence, the petitioner is entitled to claim the maintenance from the 1<sup>st</sup> respondent. Accordingly, this point is answered in favour of the petitioner and against the 1<sup>st</sup> respondent.

**POINT No.2:**

15. With regard to the residential order is concerned, the relief sought by the petitioner is concerned though P.W.1 alleged that 1<sup>st</sup> respondent is having one house property at Chadalawada, the respondent is also admitted that he is having RCC Building in Door No.2-26, once the respondent himself admits that he is having residential building. It is the duty of the respondent to provide accommodation in the said house. The respondent is directed to provide residence to the petitioner.

Apart from that, at this stage when I consider Section 17 of Domestic Violence Act, wherein it mentioned that- Right to residence in a shared house:

(1) Notwithstanding anything that law for the time being in force, every woman in a Domestic Relationship shall have the right to resident in the shared house hold whether or not she has any right to title or beneficial interest in the same.

(2) The aggrieved person shall not be evicted or excluded from the shared house hold or any part of it by the respondent gave in accordance with the procedure established by law. The section declares that every woman who is being having in shared house hold is entitled to live therein and shall not be evicted without following due

course of law. The woman claiming residence must be one living in a shared hold in Domestic relationship which could be either blood relationship or relationship through marriage, adoption or foster relationship.

Herein the present case, the petitioner is a legally wedded wife of the respondent and she is entitled for residential orders.

**POINT No.3:**

16. With regard to the protection order is concerned, as seen from the records, it is undisputed fact that the petitioner filed case under Section 498-A, 323 and 324 IPC against the respondent and the same was ended with conviction. On the other hand, the respondent stated that he never harassed the petitioner for additional dowry or for any purpose, but he contending that petitioner herself left the company of the respondent, but no such positive evidence brought on record, on that aspect so also his evidence is not corroborated by any independent witness or no useful material is elicited from the case of P.Ws.1 to 3 in support of the respondent case. However, in the above circumstances as the petitioner apprehended danger to her life in the hands of the respondent so if she is entitled for protection order no loss or prejudice will be caused to the respondent i.e., in granting such orders in favour of the petitioner. Hence, protection order is granted in favour of the petitioner, restraining the respondent from committing any act of Domestic Violence against the petitioner.

**POINT No.4:**

17. Coming to the compensation claimed by the petitioner is concerned, it is clear that the petitioner marriage was performed with 1<sup>st</sup> respondent and they lived happily for some time and for the reasons best known to the 1<sup>st</sup> respondent he has neglected to take back the petitioner to lead marital life and the petitioner presented a police report against the respondent under Section 498-A IPC, as such the

petitioner being wife of 1<sup>st</sup> respondent who was neglected by the 1<sup>st</sup> respondent and seeking justice and to protect her matrimonial rights, in the said course she would have been certainly subjected to mental agony and emotional deprivation. Further 1<sup>st</sup> respondent made certain bald allegations and invited the petitioner to face the same, the petitioner faced the same. As I already discussed earlier, the respondent did not produce any positive evidence in his favour and he did not make any effort to take back the petitioner by filing any petition under Restitution of Conjugal Rights, this attitude of the respondent clearly shows that he made the petitioner family life totally ruins by the respondent as contended by the petitioner can not be ruled out. The 1<sup>st</sup> respondent making some bald allegations and tried to get rid off her the petitioner, then she approached the Court seeking justice and to prove her case she took much pain and undergone mental agony. The 1<sup>st</sup> respondent simply made certain bald allegations and invited the petitioner to face the same. The petitioner after facing the legal battle with the respondent and after undergoing so much pain and she proved her case, therefore this court finds that this is a fit case to award compensation to the petitioner. Considering the facts and circumstances of the case and income of the 1<sup>st</sup> respondent, this Court opined that granting of Rs.1,50,000/- is reasonable amount, though the said amount will not compensate loss suffered by the petitioner, but it will give some solace to her to withstand from the loss. In view of my forgoing discussion, the petitioner has proved that she was subjected domestic violence in the hands of Respondents 1 and 2 and 1<sup>st</sup> respondent has neglected to lead marital life with the petitioner without justifiable cause. Hence, she entitled for compensation.

**POINT No.5:**

18. With regard to the costs of the petition is concerned, as seen from the records from the year 2000 onwards due to the acts of the respondent, the petitioner is doing legal battle from time to time, as

such she is entitled for costs of Rs.3,000/- and the respondent is directed to pay the same. Accordingly, this point is answered.

In view of my foregoing discussion, the petitioner has proved that she was subjected to Domestic Violence in the hands of the respondents and 1<sup>st</sup> respondent has neglected to lead marital life with the petitioner and also failed to maintain the petitioner. Accordingly, the petition is partly allowed.

19. In the result, the petition is partly allowed by granting the following reliefs:

- (a) The protection order is granted in favour of the petitioner, restraining the respondents committing any Domestic violence against the petitioner.
- (b) The respondent shall pay Rs.5,000/- (Rupee Five thousand only) per month to the petitioner towards maintenance, from the date of filing of this petition.
- (c) The respondents 1 and 2 are directed to pay the Compensation amount of Rs.1,50,000/- (Rupees One lakh Fifty thousand only) within two (2) months from the date of this order.
- (d) The 1<sup>st</sup> respondent is further directed to provide accommodation of one room to the petitioner in the Door No.2-26 in Chadalawada village.
- (e) The 1<sup>st</sup> respondent is directed to pay the maintenance awarded to the petitioner on or before 10<sup>th</sup> of every succeeding month.
- (f) The 1<sup>st</sup> respondent shall pay an amount of Rs.3,000/- (Rupees Three thousand only) towards costs of the petition.

The office is directed to make a copy to the Protection Officer who is Project Director, District Women and Child Development Agency, Prakasam District, for perusal.

The office is further directed to serve copy of order to the petitioner for free of cost as per Section 24 of Domestic Violence Act.

Dictated to the personal assistant, transcribed by her, corrected and pronounced by me in open court, this the 16<sup>th</sup> day of October, 2017.

*Sd/- M.Sudha,*  
**Spl. Judicial Magistrate of I Class,**  
**Excise Court, Ongole.**

**//APPENDIX OF EVIDENCE//****:- WITNESSES EXAMINED :-**For Petitioner

P.W.1 : G.Niroosha

P.W.2 : Y.Anjaneyulu

P.W.3 : V.Ramaswamy

For Respondents:

R.W.1: G.Dakshinamurthy

**// DOCUMENTS MARKED //****For Petitioners:**

Ex.P1 : Certified copy of Family partition Deed, Dt. 02.08.2014.

Ex.P2 : Debt Redemption Certificate.

Ex.P3 : Xerox copy of ration card (Marked subject to objection).

**For Respondents:      **NIL****

*Sd/- M.Sudha,*  
Spl.J.F.C.M.  
Excise Court, Ongole.