

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.534 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw O.P.No.267 of 2013 from the file of the Family Court, Warangal, and transfer the same to the Court of Senior Civil Judge, Huzurnagar, Nalgonda District.

2. In spite of service of notice, the respondent did not choose to appear and oppose the petition. Hence, this Court is inclined to dispose of the matter on merits. Heard the learned counsel for the petitioner and perused the affidavit filed in support of the petition.

3. The marriage of the petitioner was performed with the respondent on 05.04.2012 at Srinivasamangapuram, Tirupati, as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. The respondent filed O.P.No.267 of 2013 on the file of the Family Court, Warangal, for dissolution of marriage between him and the petitioner.

4. The petitioner has been residing at her parents house in Ramapuram village, Mellacheruvu Mandal, Nalgonda District, due to misunderstandings between her and the respondent. Even as per the averments made in O.P.No.267 of 2013 also, the petitioner was residing at Ramapuram village by the time of filing of the petition. The distance between Ramapuram to Warangal is around 180 kilometers. The petitioner may face some difficulty to travel 180 kilometers from Ramapuram to Warangal in order to prosecute O.P.No.267 of 2013. While deciding the petitions of this nature, the Court has to take into consideration the ground realities as well as the inconvenience likely to be caused to the parties to the proceedings, more particularly, the wife.

5. As per the principle enunciated in **Sumita Singh v. Kumar Sanjay, Rachna Kanodia v. Anuk Kanodia** and **V.Sailaja v V.Koteswara Rao** the paramount

consideration, in transfer of matrimonial cases, is the convenience of the wife.

6. Having regard to the facts and circumstances of the case and also the principle enunciated in the cases cited supra, I am of the considered view that it is a fit case to allow the petition.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. O.P.No.267 of 2013 is withdrawn from the file of the Family Court, Warangal, and transferred to the file of the Senior Civil Judge Court, Huzurnagar, Nalgonda District, for disposal in accordance with law. As a sequel, miscellaneous petitions, pending if any shall stand closed.

T.SUNIL CHOWDARY, J

14.10.2015.

Rns