

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.54 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw H.M.O.P.No.108 of 2014 from the file of the Senior Civil Judge Court, Mangalagiri, Guntur District and transfer the same to the file of the Senior Civil Judge Court, Narsapuram, West Godavari District, for disposal in accordance with law.

2. Heard the learned counsel for the petitioner. In spite of service of notice, the respondent did not choose to contest the matter. Hence, I am inclined to dispose of the matter on merits in the absence of the respondent.

3. A perusal of the record reveals that the marriage of the petitioner was performed with the respondent on 20.03.2011 at Sri Kanakadurga Temple, Vijayawada as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead happy marital life. The petitioner has been residing along with her parents at Palakollu. The respondent filed H.M.O.P.No.108 of 2014 on the file of Senior Civil Judge Court, Mangalagiri, for dissolution of marriage between him and the petitioner. Hence the petition.

4. It is an admitted fact that the petitioner is residing at her parents house at Palakollu. It is not the case of the respondent that the petitioner is having sufficient means to travel from Palakollu to Mangalagiri by spending some amount. As rightly submitted by the learned counsel for the petitioner, it may not be possible for the petitioner to attend the Court at Mangalagiri without the assistance of one of the family member.

5. While deciding the petitions of this nature, the Court has to take into consideration the inconvenience likely to be caused to the wife. If the petition is dismissed, it may cause untold hardship and inconvenience to the petitioner.

As per the principle enunciated in **V.Sailaja v V.Koteswara Rao, Rachna Kanodia v. Anuk Kanodia**, and **Sumita Singh v. Kumar Sanjay**, 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 case 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. H.M.O.P.No.108 of 2014 is withdrawn from the file of the Senior Civil Judge Court, Mangalagiri, Guntur District and transferred to the file of the Senior Civil Judge Court, Narsapuram, West Godavari District, for disposal in accordance with law. As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

T.SUNIL CHOWDARY, J

Date:16.06.2015.

Rns