

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA AND THE STATE OF  
ANDHRA PRADESH**

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**Transfer C.M.P.No.271 of 2015**

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Between:

Atluri Indu

.. Petitioner

And

Atluri Phani Kumar

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 20.08.2015

**SUBMITTED FOR APPROVAL:**

**THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

1. Whether Reporters of Local newspapers  
may be allowed to see the Judgment? Yes/No
2. Whether the copies of judgment may be  
marked to Law Reporters/Journals Yes/No
3. Whether Their Lordship wish to  
see the fair copy of the Judgment? Yes/No

**HON'BLE SRI JUSTICE T. SUNIL CHOWDARY**

**TRANSFER C.M.P.No.271 of 2015**

**ORDER:**

This petition is filed under Section 24 C.P.C., to withdraw

F.C.O.P.No.340 of 2015 from the file of the Family Court, Ranga Reddy District, at L.B.Nagar, and transfer the same to the Family Court, Vijayawada, Krishna District.

2. In spite of service of notice, the respondent did not choose to appear and oppose the petition. Heard the learned counsel for the petitioner and perused the material available on record.

3. The marriage of the petitioner was performed with the respondent on 22.05.2013 at Nuthakki village, Mangalagiri Mandal, Guntur District, as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. Basing on the complaint lodged by the petitioner, the Station House Officer, Mangalagiri Rural Police Station, registered a case in Crime No.375 of 2014 against the respondent and others for the offences punishable under Section 498-A IPC. The respondent also facing trial in D.V.C.No.36 of 2015 on the file of the I Additional Chief Metropolitan Magistrate, Vijayawada.

4. The petitioner has been residing at her parents house in Vijayawada. The distance between Vijayawada and Hyderabad is around 250 kilometers. The petitioner may face some difficulty to travel from Vijayawada to Hyderabad in order to prosecute F.C.O.P.No.340 of 2015. Invariably, the respondent has to attend the I Additional Chief Metropolitan Magistrate Court, Vijayawada in view of pendency of D.V.C.No.36 of 2015. While deciding the petitions of this nature, the Court has to take into consideration the inconvenience likely to be caused to the parties to the proceedings, more particularly, the wife and children.

5. As per the principle enunciated in **V.Sailaja v V.Koteswara**

Rao<sup>[1]</sup>, Rachna Kanodia v. Anuk Kanodia<sup>[2]</sup>, and Sumita Singh v. Kumar Sanjay<sup>[3]</sup>, 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. F.C.O.P.No.340 of 2015 is withdrawn from the file of the Family Court, Ranga Reddy District, at L.B.Nagar, and transferred to the Family Court, Vijayawada. As a sequel, miscellaneous petitions, pending if any shall stand closed.

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**T.SUNIL CHOWDARY, J**

**20.08.2015.**  
Rns

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<sup>[1]</sup> AIR 2003 AP 178 = 2003 (1) ALD 673 = 2003 (1) APLJ 441

<sup>[2]</sup> 2001(7) Supreme 96

<sup>[3]</sup> AIR 2002 SC 396