

**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.384 of 2015

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Between:

ImmadiSETTY Surya Lakshmi Sridevi

.. Petitioner

And

ImmadiSETTY Venkata Ramana

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 11.08.2015

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.384 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw O.P.No.225 of 2015 from the file of the Family Court, Vijayawada and transfer the same to Senior Civil Judge Court, Ramachandrapuram, East Godavari District, for disposal in accordance with law.

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

3. The marriage of the petitioner was performed with the respondent on 22.12.2012 at Sri Vasavi Kanyaka Parameswari Kalyana Mandapam, Draksharamam, East Godavari District 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.225 of 2015 on the file of Family Court, Vijayawada, for dissolution of marriage between him and the petitioner.

4. The petitioner has been residing at her parents house at Draksharamam due to misunderstandings between her and the respondent. In view of the allegations made in O.P.No.225 of 2015, it may not be possible for the petitioner to travel from Draksharamam to Vijayawada in order to prosecute O.P.No.25 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 the children. Even if the petition is allowed, the same may not cause any prejudice to the respondent.

5. As per the principle enunciated in **V.Sailaja v V.Koteswara Rao**^[1], **Rachna Kanodia v. Anuk Kanodia**^[2], and **Sumita Singh v. Kumar Sanjay**^[3], 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.225 of 2015 is withdrawn from the file of the Family Court, Vijayawada, Krishna District, and transferred to the Court of Senior Civil Judge, Ramachandrapuram, East Godavari District, for disposal in accordance with law. As a sequel, miscellaneous petitions, pending if any shall stand closed.

T.SUNIL CHOWDARY, J

11.08.2015.

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[\[1\]](#) AIR 2003 AP 178 = 2003 (1) ALD 673 = 2003 (1) APLJ 441

[\[2\]](#) 2001(7) Supreme 96

[\[3\]](#) AIR 2002 SC 396