

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

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Tr.C.M.P.No.506 of 2015
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ORDER:

This petition is filed under Section 24 C.P.C., to withdraw F.C.O.P.No.60 of 2014 from the file of Judge, Family Court, Tirupati and transfer the same to the file of Judge, Family Court, Nellore District.

2. Heard both sides and perused the material available on record.
3. The marriage of the petitioner was performed with the respondent on 01.04.2010 at Tirupati as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. Respondent filed F.C.O.P.No.60 of 2014 on the file of Judge, Family Court, Tirupati for dissolution of marriage between him and the petitioner.
4. The petitioner has been residing at her parents' house in Gudur, Nellore District, due to misunderstandings between her and the respondent. It may not be possible for the petitioner to travel from Gudur to Tirupati without the assistance of one of the male members of the family. Even, if the petition is allowed, the same may not cause any prejudice to the respondent. While deciding the petitions of this nature, the Court has to take into consideration the inconvenience likely to be caused to the parties, more particularly the wife.
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. At the time of argument, learned counsel for the respondent

submitted that there is a Senior Civil Judge Court in Gudur, therefore, the case may be transferred to Gudur in stead of Nellore in order to avoid inconvenience to both parties.

7. On the other hand, learned counsel for the petitioner submitted that if the Court feels to transfer the matter, the same may be transferred to Senior Civil Judge Court, Gudur, Nellore District.

8. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. F.C.O.P.No.60 of 2014 is withdrawn from the file of Judge, Family Court, Tirupati and transferred to the file of Senior Civil Judge Court, Gudur, Nellore District, for disposal in accordance with law.

Miscellaneous petitions, if any, pending in this petition shall stand closed. There shall be no order as to costs.

T.SUNIL CHOWDARY, J

OCTOBER 30, 2015
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THE HON’BLE SRI JUSTICE T.SUNIL CHOWDARY

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Dt: 30.10.2015

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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