

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY
Tr.CMP No.212 of 2015

ORDER:

1 This petition is filed under Section 24 of CPC seeking to withdraw F.C.O.P.No.69 of 2015 pending on the file of the Family Court, Guntur and transfer the same to the Court of the Principal Senior Civil Judge, Kothagudem in Khammam District.

2 Heard the learned counsel for both sides and perused the material available on record.

3 The marriage of the petitioner was performed with the respondent on 24.11.2012 at Bhadrachalam as per Hindu rites and caste custom. Immediately after the marriage, the petitioner joined the respondent to lead happy marital life. Out of the lawful wedlock, the petitioner and the respondent were blessed with a daughter. For obvious reasons disputes arose between the petitioner and the respondent.

 The respondent filed F.C.O.P.No.69 of 2015 on the file of the Family Court, Guntur for dissolution of marriage between him and the petitioner.

4 The petitioner has been residing at Sanjeeva Reddy Palem village, Burgampadu Mandal of Khammam District at her parents' house along with her daughter. Even as per the averments made in the counter filed by the respondent, the petitioner has been suffering with some ailment. In such circumstances, it may not be possible for the petitioner to attend the Family Court at Guntur on each and every date of

adjournment by travelling not less than 300 K.M that too without the support of a male person in the family. No doubt, the respondent is a government employee.

5 While deciding the petitions of this nature, the Court has to taken into consideration the inconvenience likely to be caused to the parties, more particularly, wife. As per the principle enunciated in ***Sumita Singh Vs. Kumar Sanjay***^[1], ***Rachna Kanodia Vs. Anuk Kanodia***^[2], and ***V. Sailaja Vs. V. Koteswara Rao***^[3], the paramount consideration, in transfer of matrimonial cases, is the convenience of the wife.

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 the petitioner deserves the relief as sought for.

6 In the result, the petition is allowed and the F.C.O.P.No.69 of 2015 pending on the file of the Family Court, Guntur is withdrawn from the file of that Court and transferred to the Court of the Principal Senior Civil Judge, Kothagudem of Khammam District for trial and disposal in accordance with law. Consequently, miscellaneous petitions, if any, pending in this Tr.CMP shall stand closed.

T. SUNIL CHOWDARY, J

Date: 28.08.2015

Kvsn

^[1] AIR 2002 SC 396

^[2] 2001 (7) Supreme 96

[\[3\]](#) AIR 2003 AP 178