

**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.406 of 2015

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Between:

Sammangi Manorama

.. Petitioner

And

Anil Sammangi

.. Respondent

DATE OF JUDGMENT PRONOUNCED: 19.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

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| 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.406 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw O.P.No.806 of 2015 from the file of the Family Court, Visakhapatnam, and transfer the same to the Family Court, Ranga Reddy District at

L.B.Nagar, for disposal in accordance with law.

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 15.11.2013 at Bandlaguda, Hyderabad, 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.806 of 2015 on the file of the Family Court, Visakhapatnam for restitution of conjugal rights.

4. As per the averments made in the transfer petition, the petitioner resigned to her job in Wipro and staying at her parents house in Hyderabad due to misunderstandings between her and the respondent. As per the averments made in O.P.No.806 of 2015, the petitioner is a resident of Hyderabad. The distance between Hyderabad and Visakhapatnam is around 700 kilometers. The petitioner may face some difficulty to travel 700 kilometers in order to prosecute O.P.No.806 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.

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.806 of 2015 is withdrawn from the file of the Family Court, Visakhapatnam, and transferred to the file of Family Court, Ranga Reddy District, at L.B.Nagar. As a sequel, miscellaneous petitions, pending if any shall stand closed.

T.SUNIL CHOWDARY, J

19.08.2015.

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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