

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER CIVIL MISCELLANEOUS PETITION No.189 of 2015

ORDER:

This petition is filed under Section 24 CPC to withdraw F.C.O.P. No.107 of 2015 from the file of the Family Court, Ranga Reddy District at L.B. Nagar, Hyderabad and transfer the same to the Court of Senior Civil Judge, Jagtial, Karimnagar District, for disposal in accordance with law.

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

3. The marriage of the petitioner was performed with the respondent on 02.8.2012 at Jagtial, Karimnagar District, as per the Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. Out of lawful wedlock, they were blessed with a daughter. The respondent filed the F.C.O.P. for dissolution of the marriage between him and the petitioner.

4. The petitioner has been residing at her parents' house at Jagtial along with her daughter, due to the family disputes. The distance between Jagtial and Hyderabad is nearly 230 KMs. It may not be possible for the petitioner to travel along with her minor daughter from Jagtial to Hyderabad without assistance of one of the male members of the family. If the petition is dismissed, it may cause untold hardship to the petitioner. Even if the petition is allowed, the same may not cause any prejudice to the respondent.

5. As per the principle enunciated in **Sumita Singh v. Kumar Sanjay**^[1] and **Rachna Kanodia v. Anuk Kanodia**^[2], 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 case cited supra, I am of the considered view that the relief sought by the petitioner can be granted.

6. Accordingly, the Transfer Miscellaneous Petition is allowed. F.C.O.P. No.107 of 2015 is withdrawn from the file of Family Court, Ranga Reddy District at L.B. Nagar, Hyderabad and transferred to the Court of Senior Civil Judge, Jagtial, Karimnagar District, for disposal in accordance with law. As a sequel, miscellaneous petitions, if any, pending in this transfer petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 24.6.2015.
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[\[1\]](#) AIR 2002 SC 396

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