

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.90 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw O.P.No.1981 of 2014 from the file of the Judge, Family Court, Ranga Reddy District, at L.B.Nagar and transfer the same to the Senior Civil Judge Court, Siddipet, Medak District, for disposal in accordance with law.

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

3. The marriage of the petitioner was performed with the respondent on 28.11.2013 near Keesara, Ranga Reddy District, as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. The petitioner filed D.V.C.No.14 of 2014 on the file of Additional Judicial Magistrate of First Class, Siddipet. The petitioner also filed M.C.No.28 of 2014 on the file of Additional Judicial Magistrate of First Class, Siddipet, seeking maintenance from the respondent. The respondent filed O.P.No.1981 of 2014 on the file of the Family Court, Ranga Reddy District, for dissolution of marriage between him and the petitioner.

4. The petitioner has been residing at her parents house at Siddipet due to misunderstandings between her and the respondent. The petitioner belongs to Siddipet of Medak District. It is not the case of the respondent that the petitioner is having sufficient means to maintain herself and prosecute the case at Ranga Reddy District. Even otherwise, the material available on record clinchingly establishes that D.V.C.No.14 of 2014 and M.C.No.28 of 2014 are pending on the file of Additional Judicial Magistrate of First Class, Siddipet. 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 inclined to consider the relief sought by the petitioner.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. O.P.No.1981 of 2014 is withdrawn from the file of the Family Court, Ranga Reddy District, at L.B.Nagar, and transferred to the file of the Senior Civil Judge, Siddipet, Medak District, for disposal in accordance with law. As a sequel, miscellaneous petitions, pending if any shall stand closed.

T.SUNIL CHOWDARY, J

Date:06.07.2015.

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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