

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.546 of 2014

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw O.P.No.241 of 2014 from the file of the Family Court, at Ranga Reddy District, and transfer the same to the file of the Family Court-cum-VI Additional District Judge, at Kadapa, for disposal.

2. Learned counsel for the petitioner submitted that the petitioner has no sufficient means to attend the Court at Hyderabad. Learned counsel for the respondent submitted that the present petition is filed with an ulterior motive to harass the respondent.

3. The marriage of the petitioner was performed with the respondent on 03.12.2009 at TTD Kalyana Mandapam, Kadapa, as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. For obvious reasons, disputes arose between the petitioner and the respondent. The petitioner has been residing at her parents house at Kadapa. The petitioner filed F.C.O.P.No.25 of 2014 on the file of the Family Court, Kadapa, against the respondent seeking maintenance. The respondent filed O.P.No.241 of 2014 on the file of the Family Court, Ranga Reddy District, for dissolution of marriage between them. It is not the case of the respondent that the petitioner is having sufficient means to travel from Kadapa to Hyderabad on each and every date of adjournment. If the petition is not allowed, the same may cause untold hardship and inconvenience to the petitioner when compared to the respondent.

4. As per the principle enunciated in **V.Sailaja v V.Koteswara Rao, Rachna Kanodia v. Anuk Kanodia**, and **Sumita Singh v. Kumar Sanjay**, the paramount consideration, in transfer of matrimonial cases, is the convenience of the wife.

5. 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.

6. Accordingly, the Transfer Miscellaneous Petition is allowed. O.P.No.241 of 2014 is withdrawn from the file of the Family Court, Ranga Reddy District, and transferred to the file of the Family Court-cum-VI Additional District Judge, at Kadapa, for disposal in accordance with law. The presence of the respondent/husband is dispensed with before the Family Court, Kadapa on each and every date of adjournment. However, he shall appear before the Family Court, Kadapa as and when his presence is so required. Miscellaneous petitions pending if any, in this transfer civil miscellaneous petition, shall stand closed.

T.SUNIL CHOWDARY, J

Date: 09.06.2015.

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