

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.430 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw F.C.O.P.No.1982 of 2014 from the file of the Family Court, Ranga Reddy District, at L.B.Nagar, and transfer the same to the file of Family Court, Sircilla, Karimnagar District.

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

3. The marriage of the petitioner was performed with the respondent on 29.05.2013 at Vemulawada temple, Karimnagar District, as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. Basing on the complaint lodged by the petitioner, the Station House Officer, Sircilla registered a case in Crime No.56 of 2015. After completion of investigation, the Investigating Officer laid charge sheet against the respondent for the offences punishable under Section 498-A IPC and Sections 3 and 4 of the Dowry Prohibition Act. The petitioner also filed D.V.C. case on the file of Judicial Magistrate of First Class, Sircilla.

4. The petitioner has been residing at her parents house in Sircilla due to misunderstandings between her and the respondent. The distance between Sircilla and Hyderabad is around 150 kilometers. The petitioner may face some difficulty to travel from Sircilla to Hyderabad, in order to prosecute F.C.O.P.No.1982 of 2014. 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 and children.

5. As per the principle enunciated in **Sumita Singh v. Kumar Sanjay**^[1], **Rachna Kanodia v. Anuk Kanodia**^[2] and **V.Sailaja v V.Koteswara Rao**^[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. F.C.O.P.No.1982 of 2014 is withdrawn from the file of the Family Court, Ranga Reddy District, at L.B.Nagar, and transferred to the file of Family Court, Sircilla, Karimnagar District, for disposal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

26.08.2015.

Rns

^[1] AIR 2002 SC 396

^[2] 2001(7) Supreme 96

^[3] AIR 2003 AP 178 : 2003 (1) ALD 673 : 2003 (1) APLJ 441