

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

Tr.CMP No.4 of 2015

ORDER:

1 This petition is filed under Section 24 of CPC seeking to withdraw O.P.No.549 of 2014 pending on the file of the Family Court, L.B.Nagar of Ranga Reddy District and transfer the same to the Family Court, Secunderabad.

2 In spite of service of notice, the respondent did not choose to appear and contest the petition. Heard the learned counsel for the petitioner.

3 A perusal of the record reveals that the marriage of the petitioner was performed with the respondent on 27.02.2008 at Alwal as per Hindu rites and caste custom. Immediately after the marriage, the petitioner joined the respondent to lead marital life. Out of lawful wedlock, the petitioner and the respondent were blessed with two children. Due to the disputes between them, the petitioner has been residing at Alwal at her parents' house along with her two children. The petitioner filed M.C.No.32 of 2014 on the file of Family Court, Secunderabad seeking maintenance from the respondent. This itself indicates the financial status of the petitioner. Therefore, it may not be possible for the petitioner to go to L.B.Nagar of Ranga Reddy district along with her two children. The Court has to take into consideration the hardship likely to be caused to the parties while deciding the petitions of this nature. If the O.P. is not transferred, it will certainly cause untold hardship and inconvenience to the petitioner. Even if the O.P. is transferred, the same may not cause any prejudice or hardship to the respondent.

4 As per the principle enunciated in ***Sumita Singh Vs. Kumar Sanjay, Rachna Kanodia Vs. Anuk Kanodia***, and ***V. Sailaja Vs. V. Koteswara Rao***, 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 cases cited supra, I am of the considered view that the petitioner deserves the relief as sought for.

5 In the result, the petition is allowed and the O.P.No.549 of 2014 pending on the file of the Family Court, L.B.Nagar of Ranga Reddy District is withdrawn from the file of the said Court and the same is transferred to the Family Court, Secunderabad for trial and disposal in accordance with law. Consequently, miscellaneous petitions, if any, pending in this Tr.CMP shall stand closed.

T. SUNIL CHOWDARY, J

Date: 18.06.2015

Kvsn