

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER CIVIL MISCELLANEOUS PETITION No.185 of 2015

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw H.M.O.P.No.96 of 2014 from the file of the Senior Civil Judge, Sattenapalli, Guntur District and transfer the same to the file of the Senior Civil Judge Court, Shadnagar, Mahaboobnagar District, for disposal in accordance with law.

2. The facts leading to filing of the present petition are briefly as follows:

The marriage of the petitioner was performed with the respondent on 22.05.2013 at Shadnagar village as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined with the respondent to lead happy marital life. Due to obvious reasons, bad weather prevailed in the family life of the petitioner and the respondent. The petitioner has been residing at Shadnagar at her parents house. Hence, the petition.

3. Learned counsel for the petitioner submitted that the distance between Shadnagar and Sattenapalli is about 300 kilometres, therefore, it may cause much inconvenience to the petitioner to attend the Court at Sattenapalli on each and every date of adjournment. Learned counsel for the respondent, on the other hand, submitted that the O.P. may be transferred to Hyderabad City instead of Shadnagar.

4. There is no dispute between the parties with regard to their relationship. It is not uncommon to make allegations and counter allegations in matrimonial cases in order to gain the sympathy of the Court. The stand of the respondent that there is a life threat to him is not supported by any material much less cogent and convincing material. It is not the case of the respondent that the petitioner has sufficient means to attend the Court at Sattenapalli. It may not be possible for the petitioner to travel 300 kilometres without the assistance of some male person. If the petition is not transferred to Shadnagar, it may cause

untold hardship and inconvenience to the petitioner when compared to the respondent.

6. 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.

7. 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.

8. Accordingly, the Transfer Miscellaneous Petition is allowed. H.M.O.P.No.96 of 2014 is withdrawn from the file of the Senior Civil Judge Court, Sattenapalli, Guntur District and transferred to the file of the Senior Civil Judge Court, at Shadnagar, for disposal in accordance with law. The learned Senior Civil Judge, Shadnagar, is hereby directed to dispose of the matter as early as possible, preferably, within a period of six months from the date of appearance of both parties.

Miscellaneous petitions, if any filed in this transfer civil miscellaneous petition, shall stand closed.

T.SUNIL CHOWDARY, J

Date: 08.06.2015.

Rns