

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY
TR.CMP No.51 of 2015

ORDER:

This petition is filed under Section 24 of C.P.C to withdraw O.P.No.25 of 2014 from the file of the Senior Civil Judge, Mahaboobnagar and transfer the same to any Senior Civil Judge, City Civil Court, Hyderabad or to any Additional Senior Civil Judge Court, R.R. District at L.B.Nagar for disposal in accordance with law.

2. Heard both counsel.

3. A perusal of the record reveals that the marriage of the petitioner with the respondent was performed on 29.11.2012 at Imperial Gardens, Sikh Village, Secunderabad as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. The respondent filed O.P.No.25 of 2014 on the file of the Senior Civil Judge, Mahaboobnagar for dissolution of marriage between him and the petitioner.

4. The petitioner has been residing at her parents' house at Hyderabad since 2012 due to various reasons. It is not the case of the respondent that the petitioner is having sufficient means to maintain herself and to travel from Hyderabad to Mahabubnagar. If the petition is dismissed, it may cause untold hardship to the petitioner. Even if the petition is allowed, the same may not cause any prejudice to the respondent. While disposing of this type of petitions, the Court has to take into consideration the ground realities as well as the hardship likely to be caused to the wife.

5. As per the principle enunciated in **V.Sailaja v V.Koteswara Rao**^[1], **Sumita Singh v. Kumar Sanjay**^[2] and **Rachna Kanodia v. Anuk Kanodia**^[3], 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 case cited supra, I am of the considered view that the relief sought by the petitioner can be granted.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. O.P.No.25 of 2014 is withdrawn from the file of the Senior Civil Judge Court, Mahabubnagar and transferred to the Family Court, Ranga Reddy District at L.B. Nagar for trial and disposal in accordance with law. No costs.

As a sequel, miscellaneous petitions, if any filed in this civil miscellaneous petition, shall stand closed.

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T.SUNIL CHOWDARY, J.

Date: 29.06.2015.

Gv/

[\[1\]](#) AIR 2003 AP 178 = 2003 (1) ALD 673 = 2003 (1) APLJ 441

[\[2\]](#) AIR 2002 SC 396

[\[3\]](#) 2001 (7) Supreme 96