

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Tr.C.M.P.No. 308 of 2015

ORDER:

This petition is filed by the petitioner/wife to withdraw F.C.O.P.No.523 of 2014 from the file of Family Court, City Civil Court's Complex, Secunderabad and transfer the same to the Judge, Family Court, Ongole.

The case of the petitioner is that the marriage of the petitioner was performed with the respondent on 18-01-2012. Thereafter, the respondent harassed the petitioner to give divorce and later OP was filed by the respondent for divorce on the file of Family Court, Secunderabad. It is further case of the petitioner that she is staying with her parents at Addanki and she cannot travel all the way from Addanki to Secunderabad for defending OP. It is further case of petitioner that she already filed M.C.No.6 of 2015 and D.V.C.No.12 of 2015 before the Additional Judicial First Class Magistrate, Addanki and the respondent has already been attending in the said cases. As such, the present transfer CMP is filed.

Though notice is served to the respondent, there is no representation and there is no appearance for the respondent.

The above facts go to show that the petitioner is unable to travel all the way from Addanki, where she is staying to Secunderabad for defending OP. More so, M.C. and DVC cases were pending at Addanki and the Apex Court in **Sumita Singh v.Kumar Sanjay and another**^[1] held that in considering transfer petitions in matrimonial proceedings, convenience of a wife be looked into.

In view of the facts and circumstances, I am of the opinion that it is just and proper to withdraw FCOP.523 of 2014 from the file of Judge, Family Court, City Civil Court's Complex, Secunderabad and transfer the same to the Judge, Family Court, Ongole.

Accordingly, the Transfer C.M.P. is allowed. As a sequel to the disposal of this petition, miscellaneous petitions, if any, pending shall stand closed.

09-02-2016
nvl

A.RAJASHEKER REDDY,J

^[1] AIR 2002 SC 396