

**HON'BLE SRI JUSTICE M. SEETHARAMA MURTI**

**Tr.C.M.P.No.506 of 2016**

**ORDER :**

This is the wife's petition under Section 24 of the Code of Civil Procedure, 1908, requesting to withdraw F.C.O.P. No.1287 of 2016 on the file of the Family Court, L.B.Nagar, Ranga Reddy District, filed by the husband for grant of divorce, and transfer the same to the Family Court, Ongole, Prakasam District, for trial and disposal in accordance with the procedure established by law.

I have heard the submissions of the learned counsel Sri I. Koti Reddy, appearing for the petitioner/wife. Notices are sent thrice to the husband and one of the notices was returned with postal endorsement that there was no such addressee and another notice was returned with postal endorsement that the addressee left and the other notice was returned unserved without any endorsement. This Court is satisfied that there is deemed service, hence, service is held sufficient. None appears for the respondent.

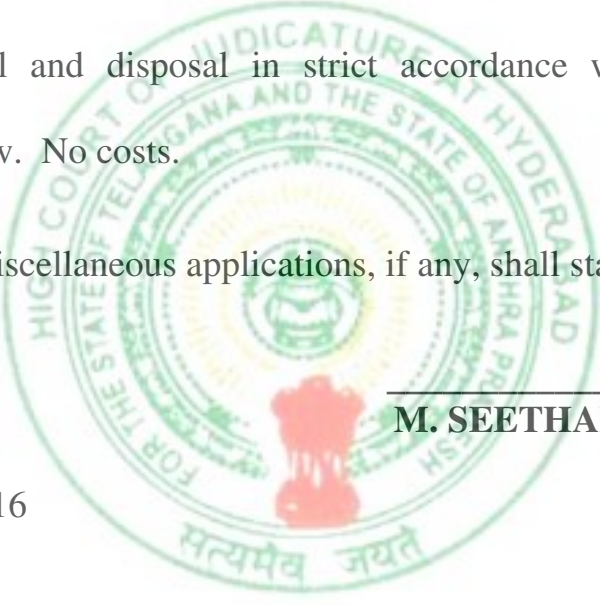
I have perused the material record.

Case of the wife is that she is presently residing at Ongole with her parents and that she is having a child of less than two years age and that her husband is also a native of Ongole and that on account of her financial weakness, incapacity, lack of assistance and inability to travel alone with a young child to the Family Court at Ranga Reddy, she is obliged to file this transfer petition seeking transfer of the O.P., to the Family Court, Ongole. The husband is not resisting the application of the wife.

Having regard to the facts and the preponderance of the authority that the wife's convenience shall be preferred in the absence of any special circumstances warranting to take a different view and as the existence of any such circumstance is not brought to the notice of this Court by the husband by entering appearance, this Court is satisfied that sufficient case is made out for granting the relief to the wife as prayed for.

In the result, the Tr.C.M.P is allowed and F.C.O.P. No.1287 of 2016 is withdrawn from the file of the Family Court, L.B.Nagar, Ranga Reddy District, and is transferred to the file of the Family Court, Ongole, Prakasam District, for trial and disposal in strict accordance with the procedure established by law. No costs.

Pending miscellaneous applications, if any, shall stand closed.



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**M. SEETHARAMA MURTI, J**

3<sup>rd</sup> November 2016

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