

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

TRANSFER C.M.P.No.627 of 2016

ORDER:

This petition is filed by the wife under Section 24 of the Code of Civil Procedure, 1908, requesting to withdraw O.P.No.290 of 2016 from the file of Family Court, City Civil Court, Secunderabad, and transfer the same to the Court of Senior Civil Judge, Repalle of Guntur District, for disposal in accordance with the procedure established by law.

2. I have heard the submission of Sri S.Lakshmikanth, learned counsel for the petitioner. Though notices are served on the respondent and on his counsel in the proceedings before the Court below, none appeared. I have perused the material record.

3. Having regard to the submissions in the petition and the fact that the petition is not being opposed by the husband and the further fact that the inconvenience, incapacity and financial weakness of the wife to undertake travel from Peddapulivaru village, Guntur District, to the City Civil Court, Secunderabad, where the OP filed by the husband is pending, and also the preponderance of the authority that the wife's convenience is to be preferred and shall prevail, in the absence of any special circumstances, this Court is satisfied that sufficient cause is shown for granting the relief.

4. Accordingly, this Transfer CMP is allowed and O.P.No.290 of 2016 is withdrawn from the file of the Family Court, City Civil Court, Secunderabad, and is transferred to the Court of the learned Senior Civil Judge, Repalle, Guntur District, for disposal in

accordance with the procedure established by law. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this transfer CMP shall stand closed.

20th October, 2016
Bvv

M.Seetharama Murti, J

