

THE HON' BLE DR. JUSTICE B.SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.670 OF 2017

ORDER:

The transfer petition is filed by the petitioner/wife under Section 24 C.P.C., to transfer O.P.No.191 of 2016 on the file of the Principal Senior Civil Judge, Kovvur, to the Family Court-cum-IX Additional District Judge, Rajahmundry.

Heard both sides.

The petitioner/ wife herein seeking transfer of the said O.P. filed by her husband to Rajahmundry, where she is residing and expressing her difficulty to lonely proceed, without proper assistance to her, all the way from Rajahmundry to Kovvur.

Having regard to the above and from the settled expression of the Apex Court in T.Gayatri Devi v. Dr.Pallepaneni Srikanth¹, in the matrimonial matters, the convenience of the wife has to be taken into consideration than that of the husband, O.P.No.191 of 2016 is withdrawn from the file of the Principal Senior Civil Judge, Kovvur, and the same is transferred to the Family Court-cum-IX Additional

¹ 2013(6) ALT 42 (SC)

District Judge, Rajahmundry. The Judge, Family Court, Rajahmundry, shall not insist the personal appearance of the respondent/husband, when representing through advocate unless his appearance is specifically required.

Accordingly, the Tr.C.M.P. is allowed.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. There shall be no order as to costs.

Date: 09.11.2017
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DR.B.SIVA SANKARA RAO, J

