

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

TRANSFER CIVIL MISCELLANEOUS PETITION No.485 OF 2017

ORDER:

The transfer petition is filed by the petitioner/ respondent/ wife under Section 24 C.P.C., to transfer F.C.O.P.No.865 of 2017 on the file of the Judge, Additional Family Court, Visakhapatnam, to the Family Court, Vijayawada.

Heard both sides.

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

Having regard to the above and from the settled expression of the Apex Court in T.Gayatri Devi v. Dr.Pallepaneni Srikanth¹, the convenience of the wife is more for consideration than that of the husband in matrimonial matters, F.C.O.P.No.865 of 2017 is withdrawn from the file of the Additional Family Court, Visakhapatnam, and the same is transferred to the Family Court, Vijayawada. It is needless to say, if at all the respondent could not get leave to personally appear before the Family Court, Vijayawada, by virtue of this order, liberty is given to record the

¹ 2013(6) ALT 42 (SC)

evidence through skype or by appointment of an advocate commissioner, subject to his bearing expenditure of the petitioner and advocate commissioner to and fro and the stay for the purpose of recording the evidence.

With the above directions and observations, 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: 06.11.2017
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DR. B. SIVA SANKARA RAO, J

