

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER C.M.P.No.361 of 2016

ORDER :

The petitioner is no other than the wife of the respondent. The respondent/husband filed F.C.O.P.No.28 of 2016 for divorce on the file of the Judge, Family Court, Nellore (SPSR Nellore), where she is respondent. His address is Ramalingapuram of Nellore District and her address shown by him is Sirimalle Colony, Hyderguda, Rajendra Nagar, Hyderabad. The petitioner seeks transfer of F.C.O.P.No.28 of 2016 from Nellore to Hyderabad.

2. It is the case of the petitioner that she filed maintenance case and also D.V.C. apart from she is *de facto* complainant in C.C.No.895 of 2014 and all the three cases are pending in Ranga Reddy District and she got a child, now aged 5 years, and she is unable to travel along with child to Nellore Court all the way, much less to take her witnesses all through and it is her claim that she is presently no avocation and because of the inconvenience, the case is to be transferred from the file of Judge, Family Court, Nellore, to Judge, Family Court at L.B.Nagar of Ranga Reddy District.

3. Notice is served on the advocate on record before the lower Court for the respondent however failed to attend leave about several notices sent to the respondent returned mostly unclaimed.

4. Heard counsel for petitioner and taken as heard the respondent to decide on merits.

5. Having regard to the above facts that no way requires repetition and from which the inconvenience of the wife can weight compared to that of husband, that too the petitioner to take care of the child hardly of 5 years age, it is just for this Court to transfer the F.C.O.P.No.28 of 2016 from the Judge, Family Court, Nellore, to the Judge, Family Court at L.B.Nagar, Ranga Reddy District.

6. Accordingly and in the result, the transfer C.M.P is allowed and the F.C.O.P.No.28 of 2016 on the file of the Judge, Family Court, Nellore, is withdrawn and transferred to the Judge, Family Court, L.B.Nagar at Ranga Reddy District, with a direction for early disposal.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

31st October 2017.

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Dr. B. SIVA SANKARA RAO, J