

HON'BLE SRI JUSTICE Dr. B. SIVA SANKARA RAO

Tr.C.M.P.No.629 of 2017

ORDER:

Heard both sides.

In view of the settled expression of the Apex Court in ***T.Gayatri Devi Vs. Dr.Tallepaneni Sreekanth***¹ that the inconvenience caused to be the wife must be weighed when compared to that of the husband in matrimonial matters in considering the transfer applications, the present Transfer Petition is allowed and the O.P.No.32 of 2016, pending on the file of I Additional Senior Civil Judge, Warangal, Warangal District, is withdrawn and transferred to the Judge, Family Court, Guntur, for renumbering and early disposal and also O.P.No.98 of 2017 filed by the petitioner herein (wife of the respondent) for restitution of conjugal rights against him is also withdrawn and transferred from Senior Civil Judge, Sattenapalli, Guntur District, to the Judge, Family Court, Guntur, to decide both the matters by joint trial as even the acknowledgment says the respondent was served at Guntur. The I Additional Senior Civil Judge, Warangal, Warangal District, immediately on receipt of the order shall transmit the records for giving fresh number by the Judge, Family Court, Guntur. Needless to say the Judge, Family Court, Guntur, shall not insist the personal appearance of the respondent herein, if representing through counsel under Section 13 of the Family Courts Act so permitted, but for to reconciliation and giving of evidence etc.

¹ 2013 (6) ALT 42 (SC)

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 27.11.2017
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