

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

Tr.C.M.P.No.566 of 2017

ORDER:

Heard both sides.

In view of the settled expressions of the Apex Court in **Amita Shah Vs. Virender Lal Shah¹** and **T.Gayatri Devi Vs. Dr.Tallepaneni Sreekanth²** that the inconvenience caused to 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Petition is allowed and the F.C.O.P.No.44 of 2017, pending on the file of the Judge, Family Court, Nizamabad, is withdrawn and transferred to the Judge, Family Court, Secunderabad, for renumbering and early disposal and F.C.O.P.No.368 of 2016 is also withdrawn and transferred from II Additional Judge, Family Court, Kukatpally, to the Judge, Family Court, Secunderabad, to decide by posting both the matters to even dates for simultaneous disposal to avoid inconvenience to the parties to the extent possible. The Judge, Family Court, Nizamabad, and the II Additional Judge, Family Court, Kukatpally, immediately on receipt of the order shall transmit the records to the Judge, Family Court, Secunderabad. Needless to say the Judge, Family Court, Secunderabad, 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 2003 (10) SCC 609

² 2013 (6) ALT 42 (SC)

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 06.12.2017
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