

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

Tr.C.M.P.No.96 of 2017

ORDER:

Heard learned counsel for the petitioner and though notice served on the respondent/husband, he failed to attend. He is residing at Visakhapatnam to substantiate the submission of the learned counsel for the petitioner that he is working in LIC Department in Visakhapatnam.

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and the H.M.O.P.No.147 of 2016, pending on the file of the Senior Civil Judge, Bhimavaram, West Godavari District, is withdrawn and transferred to the Judge, Family Court, Visakhapatnam, for renumbering and early disposal. The Senior Civil Judge, Bhimavaram, West Godavari District, immediately on receipt of the order shall transmit the records for giving fresh number by the Judge, Family Court, Visakhapatnam. Needless to say the Judge, Family Court, Visakhapatnam, 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.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 27.11.2017
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¹ 2013 (6) ALT 42 (SC)