

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER C.M.P.No.886 of 2016

ORDER :

Heard both sides.

2. Perused the grounds urged in the transfer petition filed by the petitioner-wife of the respondent to withdraw H.M.O.P.No.117 of 2016 from the file of the Senior Civil Judge, Tadepalligudem, West Godavari District, filed by her husband for divorce, to the file of the Judge, Family Court, Vijayawada, Krishna District.

3. On 21.12.2016, this Court granted interim stay from the inconvenience with school going children, for her lonely to attend, no assistance all the away from Vijayawada to Tadepalligudem, thereby and from the settled expressions of the Apex Court in **T. Gayatri Devi v. Dr.Tallepaneni Sreekanth¹** and **Amita Shah v. Virender Lal Shah²**, 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and H.M.O.P.No.117 of 2016 pending on the file of the Senior Civil Judge at Tadepalligudem, West Godavari District, is withdrawn and transferred to Judge, Family Court, Vijayawada, Krishna District. Both parties are directed to appear before the Judge, Family Court, Vijayawada, on 27.12.2017, without expecting any notice. The Judge, Family Court, Vijayawada,

¹ 2013 (6) ALT 42 (SC)

² (2003) 10 SCC 609

shall not insist the personal appearance of the respondent herein if representing through advocate under Section 13 of the Family Courts Act, if any, but for reconciliation and for giving of evidence.

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

Dr. B. SIVA SANKARA RAO, J

11th December 2017.

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