

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.695 of 2016

ORDER :

The transfer petition is filed by the petitioner/wife under Section 24 C.P.C., to transfer H.M.O.P.No.22 of 2016 on the file of the Senior Civil Judge, Sathupally, Khammam District, to the Family Court, Secunderabad.

In view of the settled expressions of the Apex Court in T.Gayatri Devi v. Dr.Pallepaneni Srikanth¹ and Amita Shah v. Virender Lal Shah², the convenience of the wife is more for consideration than that of the husband in matrimonial matters, H.M.O.P.No.22 of 2016 on the file of the Senior Civil Judge, Sathupally, Khammam District,, is withdrawn and transferred to the Family Court, Secunderabad,. Needless to say, the personal appearance of the respondent/ husband can be dispensed with in the said O.P. if representing through advocate unless specifically required for reconciliation or evidence etc.,

Accordingly, the Tr.C.M.P. is allowed.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. There shall be no order as to costs.

Dr. B. SIVA SANKARA RAO, J

Date:19-12-2017
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¹ 2013(6) ALT 42 (SC)

² 2003(10)SCC 609