

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

Tr.C.M.P. No.530 of 2017

ORDER:

The Transfer petition is filed by the petitioner—wife, under Section 24 C.P.C., to transfer F.C.O.P. No.837 of 2017 before the Judge, Additional Family Court, Visakhapatnam to XVI Additional District and Sessions Judge-cum-Family Court, Malkajgiri, Ranga Reddy District.

2. Heard both sides and perused the material on record.

3. The petitioner/wife herein seeking transfer of the said F.C.O.P. filed by her husband to Malkajgiri, where she is residing and expressing her difficulty to lonely proceed, without proper assistance to her, all the way from Visakhapatnam to Malkajgiri, Ranga Reddy District.

4. Having regard to the above and from the settled expression of the Apex Court in **T.Gayatri Devi v. Dr.Pallepaneni Srikanth**¹, the convenience of the wife is more for consideration than that of the husband in matrimonial matters, F.C.O.P.No.837 of 2017 is withdrawn from the file of the Judge, Additional Family Court, Visakhapatnam to XVI Additional District and Sessions Judge-cum-Family Court, Malkajgiri, Ranga Reddy District. The Additional Family Court, Visakhapatnam, is forthwith to transmit the record to the Family Court, Malkajgiri. In the meanwhile, both the parties are directed to appear before the XVI Additional District and Sessions Judge—cum—Family Court, Malkajgiri, on

¹ 2013(6) ALT 42 (SC)

11.12.2017, without expecting any notice and further dates to be fixed to save unnecessary delay.

5. With the above directions and observations, 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.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 10.11.2017
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