

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

Tr.C.M.P.No.728 OF 2017

ORDER:

Heard both sides.

2. In view of the settled expression of the Hon'ble 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and the H.M.O.P.No.54 of 2017, pending on the file of Senior Civil Judge, Narasapuram, West Godavari District, is withdrawn and transferred to Principal Senior Civil Judge's Court, Kakinada, for restoration and early disposal. Both parties are directed to appear before the Principal Senior Civil Judge, Kakinada, on 11.12.2017 to fix further dates and the Senior Civil Judge, Kakinada, 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.

3. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO, J

22.11.2017

SS

¹ 2013 (6) ALT 42 (SC)