

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

TRANSFER C.M.P.No.774 of 2017

ORDER :

Heard both sides.

2. In view of 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 application, the present transfer petition is allowed and F.C.O.P.No.739 of 2015 pending on the file of the Judge, Family Court, Visakhapatnam, is withdrawn and transferred to the Senior Civil Judge, Kakinada. The Senior Civil Judge, Kakinada, shall not insist the personal appearance of the parties 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

22nd December 2017.

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¹ 2013 (6) ALT 42 (SC)

² (2003) 10 SCC 609