

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.727 of 2017

ORDER :

The transfer petition is filed by the petitioner/ wife under Section 24 C.P.C., to transfer O.P.No.443 of 2017 on the file of the Family Court, City Civil Courts, Hyderabad, to the VIII Additional District Judge, Medak.

It is stated by the petitioner/ wife in the affidavit filed in support of the petition that she is seeking transfer of the said O.P., which is filed by her husband seeking divorce on the ground that she is residing at Bachrajpally Village, Ramayampet Mandal, Medak District with her parents and it is very difficult for her to travel all the way from the said place to Hyderabad.

In view of the settled expression 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husband in matrimonial matters, O.P.No.443 of 2017 on the file of the Family Court, City Civil Courts, Hyderabad, is withdrawn and transferred to the Family Court, Medak. Needless to say, the personal appearance of the respondent/husband can be dispensed with, if representing

¹ 2013(6) ALT 42 (SC)

² 2003(10)SCC 609

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:05-12-2017
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