

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

Tr.C.M.P.No.696 of 2017

ORDER:

Heard learned counsel for the petitioner and taken as heard the respondent to whom notice was served, but failed to attend and perused the material on record.

In view of the settled expressions of the Apex Court in **Amita Shah Vs. Virender Lal Shah¹** and **T.Gayatri Devi Vs. Dr.Tallepaneni Sreekanth²** that the inconvenience caused to 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Petition is allowed and the M.O.P.No.156 of 2017, pending on the file of Additional Senior Civil Judge, Srikakulam is withdrawn and transferred to the Senior Civil Judge Court, Kakinada, East Godavari District, for renumbering and early disposal. The Additional Senior Civil Judge, Srikakulam, immediately on receipt of the order shall transmit the records for giving fresh number by the Senior Civil Judge, Kakinada, East Godavari District. Needless to say the Senior Civil Judge, Kakinada, East Godavari District, shall not insist the personal appearance of the respondent herein, if representing through counsel, but for to reconciliation and giving of evidence etc.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 19.12.2017
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¹ 2003 (10) SCC 609

² 2013 (6) ALT 42 (SC)