

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

TRANSFER CIVIL MISCELLANEOUS PETITION No.763 OF 2017

ORDER:

The transfer petition is filed by the petitioner/ wife under Section 24 C.P.C., to transfer O.P.No.927 of 2017 on the file of the Family Court, City Civil Courts, Hyderabad, to the Family Court-cum-Additional District Court, Kothagudem.

Heard both sides.

In view of the settled expression of the Apex Court in T.Gayatri Devi v. Dr.Pallepaneni Srikanth¹, the convenience of the wife is more for consideration than that of the husband in matrimonial matters, O.P.No.927 of 2017 on the file of the Family Court, City Civil Courts, Hyderabad, is withdrawn and transferred to the Senior Civil Judge, Kothagudem. Needless to say, the personal appearance of the 1st respondent/ husband can be dispensed with, if representing through advocate unless specifically required for reconciliation or evidence etc., leave about his right to seek by invoking Section 126(2) Cr.P.C. in the M.C.

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: 28.11.2017
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¹ 2013(6) ALT 42 (SC)