

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.826 of 2017

ORDER :

This petition is filed by the petitioner/ wife under Section 24 C.P.C., to transfer H.M.O.P.No.64 of 2017 on the file of the Senior Civil Judge, Gadwal, to the Family Court, Ranga Reddy District at L.B.Nagar.

In view of the settled expressions 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that of the husband in matrimonial matters, H.M.O.P.No.64 of 2017 on the file of the Senior Civil Judge, Gadwal, is withdrawn and transferred to the Family Court, Ranga Reddy District at L.B.Nagar, to post the said H.M.O.P. along with M.C.No.384 of 2017 to avoid inconvenience to the parties. Needless to say, the personal appearance of the respondent/ husband can be dispensed with in both the matters under Section 13 of the Family Courts Act including Section 126 Cr.P.C., if representing 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:19-12-2017
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¹ 2013(6) ALT 42 (SC)

² 2003(10)SCC 609