

THE HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER C.M.P. Nos.610 AND 671 OF 2016

COMMON ORDER:

Heard.

2. These two transfer cases are inter-connected and as such, they are being disposed of through this Common Order.

3. The husband, who is shown to be one with 75% disability, filed H.M.O.P.No.391 of 2015, seeking dissolution of marriage. That was filed in the Court of the Family Judge-cum-XII Additional District Judge, Guntur. After the institution of that O.P., the wife filed an application as O.P.No.1046 of 2016 for restitution of conjugal rights against the husband. That is filed before the Family Judge, City Civil Court, Hyderabad.

4. Hearing the submissions on the basis of the aforesaid facts and factors, the totality of the facts show that this is a fit case where the application for restitution of conjugal rights and the application for dissolution of marriage have to be adjudicated by the same Court. Taking into consideration the physical status of the husband, ends of justice require that the matters are adjudicated and heard by the Family Court-cum-XII Additional District Judge, Guntur.

5. In the result, these applications are ordered by transferring O.P.No.1046 of 2016 from the Court of the Family Judge, City Civil Court, at Hyderabad, to the Court of the Family Judge-cum-XII Additional District Judge, Guntur. It is clarified that this Order does not speak anything on the merits of the rival contentions during the

course of adjudication by the Family Court, even as regards the alleged disability of the husband.

Miscellaneous petitions, pending if any, shall stand closed.

THOTTATHIL B. RADHAKRISHNAN, CJ

06.12.2018
pln

