

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER CIVIL MISCELLANEOUS PETITION No.767 of 2016

ORDER:

Petitioner seeks transfer of O.P.No.539 of 2016 from the Family Court, City Civil Court, Secunderabad, to the Senior Civil Judge's Court, Penukonda, Anantapur District.

2. Heard.

3. The petitioner is the wife of the respondent. The respondent filed O.P.No.539 of 2016 under Section 13(i)(i-a) of the Hindu Marriage Act, 1955, seeking divorce. The petitioner has filed M.C.No.15 of 2016 before the learned Judicial First Class Magistrate, Penukonda, Anantapur District. She pleads that she is financially incapable and has to take care of a young girl child, who is also of ill-health. She does not have the financial ability or support from family to contest O.P.No.539 of 2016 filed in the Court at Secunderabad.

4. Having noticed the material particulars and the facts relating to the family and taking into consideration the balance of convenience, it is found that ends of justice would require that this application be allowed.

5. In the result, this application is allowed transferring O.P.No.539 of 2016 from the Family Court, City Civil Court, Secunderabad, to the Court of Senior Civil Judge, Penukonda, Anantapur District.

Pending miscellaneous petitions, if any, shall also stand disposed of.

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THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 14.12.2018

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