

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

TRANSFER CIVIL MISCELLANEOUS PETITION No.151 OF 2018

ORDER:

This transfer civil miscellaneous petition, under Section 24 of the Code of Civil Procedure, 1908 (for short 'CPC'), is filed to withdraw F.C.O.P. No.177 of 2017 pending on the file of the Judge, Family Court, Ananthapuramu and transfer the same to the Family Court, City Civil Courts, Hyderabad or the Judge, Family Court at Secunderabad, on the sole ground that the petitioner is working as Administrative Officer in Punjab National Bank, Malakpet, Hyderabad, and whereas the respondent is working as Assistant Manager in Bank of India, Chennai, but the F.C.O.P. is pending before the Family Court at Ananthapuram, hence, it is difficult for her to attend the Court at Ananthapuram on every date of adjournment by applying leave being an Administrative Officer in Punjab National Bank, Malakpet, Hyderabad.

At the hearing, Sri A.Srinivas Goud, learned counsel appearing for the petitioner reiterated the grounds urged in the petition and requested to pass appropriate orders.

The only difficulty expressed by the petitioner is that she is working as an Administrative Officer in Punjab National Bank, Hyderabad and she is unable to undertake journey on every date of adjournment, but inconvenience of wife alone is not a ground in view of Full Bench Judgment of the Apex Court in **Santhini v. Vijaya Venketesh**¹.

If for any reason, convenience of the petitioner/ wife alone is taken into consideration, the respondent is also working as

¹ (2018) 1 SCC 1

Assistant Manager in Bank of India, Chennai, he will also face same difficulty to appear before the court on every date of adjournment.

To strike balance between the inconvenience of both the parties, let the matter be decided by the Judge, Family Court, Ananthapuramu District, as inconvenience of the wife alone is not criteria and the Court shall not liberally exercise the jurisdiction under Section 24 of CPC, whenever the petitions are filed by the women as observed by the Full Bench of the Apex Court in **Santhini's** case. Hence, I find no ground to withdraw and transfer the F.C.O.P.

Accordingly, the civil revision petition is dismissed. No costs.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

M.SATYANARAYANA MURTHY, J

Date:16.03.2018
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