

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Tr.CMP No.479 of 2017

ORDER :

Heard and perused the grounds urged in the transfer petition.

The principle enunciated in T.Gayatri Devi v. Dr. Tallepaneni Sreekanth¹ and Sumita Sing Vs. Kumar Sanjay² is that the paramount consideration in transfer of matrimonial cases is the inconvenience of the wife when compared to that of the husband.

Having regard to the above, Tr.CMP is allowed. The M.O.P.No.33 of 2017 on the file of the learned Senior Civil Judge, Adoni, Kurnool district, is withdrawn and transferred to the file of the learned Senior Civil Judge, Tirupati, to decide simultaneously along with M.C.No.49 of 2005 pending there filed by the transfer petitioner-wife against the transfer petition respondent-husband. The learned Senior Civil Judge, Tirupati shall dispense with the personal appearance of the transfer petition respondent-husband if represented through Advocate u/ sec.13 of the Family Courts Act, and including in the maintenance case in which he is respondent by virtue of this order, unless personal appearance is required for reconciliation or for giving of evidence, as the case may be.

Consequently, Miscellaneous Petitions, if any, pending in this Transfer Civil Miscellaneous Petition, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date:03.01.2018
vvr

¹ 2013 (6) ALT 42 (SC)

² AIR 2002 SC 396