

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER C.M.P. No.187 of 2017

ORDER:

Heard the learned counsel for the petitioner-wife and the learned counsel for the respondent-husband in this application whereby the wife seeks transfer of a petition for divorce filed by the husband.

2. According to the wife, she is in Visakhapatnam. The husband, even, on his own showing, has to keep on moving to different port locations having regard to his nature of employment with the Indian Coast Guard. Keeping aside all other issues and noticing the age factor of the couple and also that the couple does not have a child, the litigation can be better carried forward to the Visakhapatnam Court. It will also be feasible for that Court to probe into the possibility of any Alternative Dispute Resolution Mechanism where the parties can take recourse. However, it also needs to be recorded that the husband's counsel has mentioned that his client apprehends danger, if the matter is transferred to Visakhapatnam Court. I am sure that the authorities in Visakhapatnam Court will take care of any such situation.

3. In the result, the Transfer Petition is allowed transferring O.P.No.58 of 2017 from the file of the Judge, Family Court, City Civil Court, Hyderabad, to the Family Court, Visakhapatnam.

Pending miscellaneous petitions, if any, shall stand closed.

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THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 28.12.2018

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