

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Tr.CMP Nos.479 and 557 of 2016

COMMON ORDER :

Heard and perused the grounds urged in both the transfer petitions.

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, both the transfer petitions are allowed. The O.P.No.195 of 2016 on the file of the learned Judge, Family Court, City Civil Court, at Secunderabad is withdrawn and transferred to the file of the learned Judge, Family Court, at Nizamabad, to try either jointly or simultaneously along with O.P.No.25 of 2016 and dispose of in accordance with law. The learned Judge, Family Court, Nizamabad, is directed to dispense with personal appearance of the respondent/husband once representing through advocate unless personal appearance is required for reconciliation or for giving of evidence, as the case may be. Consequently, miscellaneous petitions, if any, pending in these Transfer Civil Miscellaneous Petition, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date:05.01.2018

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¹ 2013 (6) ALT 42 (SC)

² AIR 2002 SC 396