

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

TRANSFER C.M.P. No.75 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned counsel for the respondent.

2. The request made herein, under Section 24 of the Code of Civil Procedure, 1908, is to withdraw O.P. No.1597 of 2015 from the file of the Judge, Family Court, City Civil Court, Hyderabad, and to transfer the same to the file of the Judge, Family Court at Anantapur.

3. O.P. No.1597 of 2015 was filed by the respondent - husband for grant of decree of divorce under Section 13(1)(1a) and Section 26 of Hindu Marriage Act, 1955.

4. The ground on which the request for transfer is made is that the petitioner - wife was taking shelter at her parents' house, Ananthapur, and even M.C. No.4 of 2014 is also pending on the file of the learned Magistrate at Anantapur and it is difficult for her to attend the Court at Hyderabad as she has two minor children.

5. Learned counsel for the respondent, no doubt, resists the request. But, the fact remains that it would be arduous to travel to Hyderabad from Anantapur to attend the Court, more particularly,

when the petitioner has got minor children. Hence, her request appears to be reasonable.

7. Therefore, the Transfer Civil Miscellaneous Petition is allowed, and, O.P. No.1597 of 2015 is withdrawn from the file the Judge, Family Court, City Civil Court, Hyderabad, and transferred to the file of the Judge, Family Court, Anantapur, who, on receipt of file, is directed to issue notices to both parties and dispose of the O.P. as expeditiously as possible not later than six (6) months from the date of receipt of a copy of the order. There shall be no order as to costs.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the present transfer petition stand closed.

April 11, 2018.

PV

A. SHANKAR NARAYANA, J