

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.599 of 2017

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw H.M.O.P.No.95 of 2016 from the file of the Court of Senior Civil Judge, Siddipet, and transfer the same to the Court of Senior Civil Judge, Ranga Reddy District at L.B.Nagar.

2. Heard the party-in-person. In spite of service of notice, the respondent did not choose to appear and oppose the petition.

3. A perusal of the record reveals that the marriage of the petitioner was performed with the respondent on 20.05.2015 at Bussapur village as per Hindu rites and caste customs. Immediately after the marriage, the petitioner joined the respondent to lead marital life. For one reason or the other, disputes arose between the parties, therefore, the petitioner has been residing in Hyderabad. A perusal of the record reveals that C.C.No.456 of 2015 is pending on the file of the Court of IV Judicial First Class Magistrate, Siddipet and D.V.C.No.10 of 2017 is pending on the file of III Metropolitan Magistrate, Erramanzil, Hyderabad.

4. While deciding the petitions of this nature, the Court has to take into consideration the inconvenience likely to be caused to the parties to the proceedings, more particularly, the wife.

5. As per the principle enunciated in **V.Sailaja v V.Koteswara Rao**¹, **Rachna Kanodia v. Anuk Kanodia**², and **Sumita Singh v. Kumar Sanjay**³, the paramount consideration, in transfer of matrimonial cases, is the convenience of the wife.

6. Having regard to the facts and circumstances of the case and also the principle enunciated in the cases cited supra, I am inclined to allow the petition.

7. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. H.M.O.P.No.95 of 2016 is withdrawn from the file of Senior Civil Judge, Siddipet, and transferred to the file of Principal Senior Civil Judge, Ranga Reddy District, at L.B.Nagar, for disposal in accordance with law. As a sequel, miscellaneous petitions, pending if any shall stand closed.

Dt:23.08.2018
Rns

T.SUNIL CHOWDARY, J

¹ AIR 2003 AP 178 = 2003 (1) ALD 673 = 2003 (1) APLJ 441

² 2001(7) Supreme 96

³ AIR 2002 SC 396