

HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN

TRANSFER CIVIL MISCELLANEOUS PETITION No.185 of 2016

ORDER:

Petitioner seeks transfer of O.P.No.1193 of 2015 pending before the Judge, Family Court, City Civil Court, Hyderabad, to the Principal Senior Civil Judge's Court, Tadepalligudem, West Godavari District.

2. Heard.

3. The respondent is the husband and the petitioner is the wife. The respondent filed O.P.No.1193 of 2015 under Section 13(1)(i) of the Hindu Marriage Act, 1955, seeking divorce. Even as per the cause title of that application, he is employed at Sydney, Australia and is a resident of Sydney. He has sued by showing his address to be presently in Hyderabad.

4. Having perused the material pleadings and particulars, the matter requires to be transferred to the Court at Tadepalligudem, West Godavari District, which is indisputably the place of residence of the wife, who is the petitioner in this application. Though the parties would have last resided in Hyderabad, in terms of the contentions of the respondent, sufficient cause has

been shown for transfer of O.P.No.1193 of 2015 to the Principal Senior Civil Judge's Court at Tadepalligudem, West Godavari District. I am satisfied that this application is eligible to be allowed to secure the ends of justice.

5. In the result, this application is allowed transferring O.P.No.1193 of 2015 from the Family Court, City Civil Court, Hyderabad, to the Court of Principal Senior Civil Judge, Tadepalligudem, West Godavari District.

Pending miscellaneous petitions, if any, shall also stand disposed of.

Date: 14.12.2018

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THOTTATHIL B. RADHAKRISHNAN, CJ

