

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TR.CMP.No.743 OF 2017

ORDER:

This petition is filed under Section 24 of C.P.C seeking to withdraw FCOP No.1900 of 2016 pending on the file of the Family Court-cum-XV Addl. District Judge, Kutkatpally, Miyapur, Ranga Reddy District and transfer the same to the Addl. Family Court, City Civil Court, Hyderabad.

2. Heard learned counsel for both parties..

3. A perusal of the record reveals that the marriage of the petitioner was performed with the respondent on 25.08.2013 at Hyderabad 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 petitioner and the respondent, therefore, the petitioner has been residing at her parents house. While things stood thus, the petitioner filed O.P.No.1900 of 2016 on the file of the XV Addl. District, Kukatpally at Miyapur, Ranga Reddy District, against the respondent under Section 13 (1) (ia) (ib) of Hindu Marriage Act for dissolution of marriage between them.

4. While deciding the petition of this nature, the Court has to consider the convenience of the parties to the proceedings, more particularly, the wife.

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

¹ AIR 2002 SC 396

² 2001 (7) Supreme 96

³ AIR 2003 AP 178

wife. Having regard to the facts and circumstances of the case and also the principle enunciated in the cases cited supra, I am of the considered view that the petitioner deserves the relief as sought for.

6. In the result, the petition is allowed. FCOP No.1900 of 2016 pending on the file of the Family Court-cum-XV Addl. District Judge, Kutkatpally, Miyapur, Ranga Reddy District is withdrawn and transferred the same to the Addl. Family Court, City Civil Court, Hyderabad, for disposal in accordance with law. As a sequel, miscellaneous petitions, if any pending in this petition shall stand closed.

Dated: 11-09-2018
Hsd

T.SUNIL CHOWDARY, J

