

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Transfer Civil Miscellaneous Petition No.583 of 2018

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of the Code of Civil Procedure, 1908, is filed by the petitioner/wife, requesting to withdraw O.P.No.51 of 2018 from the file of Senior Civil Judge at Nalgonda, and transfer the same to the Family Court, Mahabubnagar, for trial and disposal in accordance with law.

2. Heard the learned counsel for the petitioner/wife and perused the record. Despite listing this matter under the caption 'For Orders', there is no representation for the respondent/husband.

3. It is evident from the record that O.P.No.51 of 2018 filed by the respondent/husband against the petitioner/wife for divorce, is pending on the file of the Senior Civil Judge, Nalgonda. The petitioner/wife is residing at Peddapally Village, Thelkapally Mandal, Nagarkurnool District. She made a request to this Court to withdraw O.P.No.51 of 2018, which is filed by the respondent/husband seeking divorce, from the file of the Senior Civil Judge, Nalgonda, to the Family Court, Mahabubnagar, which is convenient to her.

4. The statute gives special status to the wife insofar as the place of suing. The convenience of the wife should be preferred and shall prevail over the inconvenience, if any, which may be caused to the husband. Accordingly, this Court finds that sufficient cause is shown by the petitioner/wife for granting the relief claimed

by her in this petition, more particularly in the light of the fact that the respondent/husband, having not entered appearance, is not resisting the application.

5. In the result, this Transfer Civil Miscellaneous Petition is allowed and O.P.No.51 of 2018 is withdrawn from the Court of the Senior Civil Judge, Nalgonda, and is transferred to the Family Court, Mahabubnagar, for trial and disposal in accordance with law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Transfer CMP, shall stand closed.

23rd September, 2019
Bvv

Dr. SHAMEEM AKTHER, J

