

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HON'BLE SRI JUSTICE A.VENKATESHWARA REDDY

TRANSFER C.M.P.No.96 OF 2021

Between:

Smt .Guduru Sneha, W/o.Guduru Suresh, Hindu, Aged about 26 years,
Occ.House wife R/o.H.No.5-141/1, Huzurabad town and Mandal, Karimnagar
District.

...PETITIONER

AND

Guduru Suresh, S/o.Kumara Swamy, Hindu, Aged about 34 years,
Occ.Employee in BTPS, R/o.Q.No.BG-5, A-Colony, Palvancha Town and
Mandal, Bhadradi Kothagudem District.

...RESPONDENT

Petition Under Section 24 of the C.P.C. Praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to WITHDRAW the HMOP.No.25 of 2021 from the file of the Hon'ble Principal Senior Civil Judge, at Kothagudem, and transfer the same to the Court of Senior Civil Judge at Huzurabad.

IA NO: 1 OF 2021

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant STAY of all further proceedings in HMOP.No.25 of 2021 on the file of Principal Senior Civil Judge, at Kothagudem.

Counsel for the Petitioner: SRI HARI KISHAN KUDIKALA

Counsel for the Respondent: None Appeared either in person or by Advocate

The Court made the following: ORDER

HON'BLE SRI JUSTICE A. VENKATESHWARA REDDY

TRANSFER C.M.P.No.96 of 2021

ORDER:

1. Heard the learned counsel for petitioner. Proof of service of notice of respondent on his counsel before the trial Court is filed. Respondent called absent; no representation.
2. The petitioner-wife has filed this transfer civil miscellaneous petition under Section 24 of the Code of Civil Procedure with a request to withdraw HMOP.No.25 of 2021 pending on the file of Principal Senior Civil Judge at Kothagudem and to transfer the same to the Court of Senior Civil Judge at Huzurabad of Karimnagar District.
3. In the affidavit filed in support of the petition, it is averred that the petitioner is staying at Huzurabad and she is a house wife. It is causing lot of hardship for her to attend the Court at Kothagudem on each and every date of hearing.
4. The Hon'ble Supreme Court in **Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi**¹, while dealing with transfer proceedings of a matrimonial dispute, held that in this type of matters, the convenience of the wife is to be preferred over the convenience of the husband.

¹ (2005) 12 SCC 237

5. Therefore, considering the convenience of the petitioner-wife, scheme of Hindu Marriage Act, provisions of Section 24 of the Code of Civil Procedure, I deem it fit to accept the request of the petitioner.

6. In the result, this transfer civil miscellaneous petition is allowed. HMOP.No.25 of 2021 pending on the file of Principal Senior Civil Judge at Kothagudem is withdrawn and is transferred to the Court of Senior Civil Judge at Huzurabad of Karimnagar District for disposal in accordance with law. The learned Principal Senior Civil Judge, Kothagudem shall transmit the entire record duly indexed, within one month from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Senior Civil Judge at Kothagudem, Karimnagar District.
2. The Senior Civil Judge at Huzurabad, Karimnagar District.
3. One CC to Sri Hari Kishan Kudikala, Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy

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HIGH COURT

DATED: 30/11/2021

ORDER

TR.CMP.No.96 of 2021



ALLOWING THE TR.CMP.

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