

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

TRANSFER CIVIL MISCELLANEOUS PETITION NO: 117 OF 2024

Between:

Jadala Lalitha, W/o.Kumara Swamy, Age 44 years, Occ:House Wife,
R/o.H.No.1-16-317, Balaji Nagar, Kagaznagar, Dist. Komrambheem Asifabad.

...PETITIONER

AND

Jadala Kumara Swamy,S/o.Ramulu,Age 45years,Occ JLM Transco
Department, N/o Sir Silk Colony Kagaznagar, presently residing at
Vidyanagar Colony, Khanapur Town and Mandal, Dist. Nirmal.

...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.71 of 2023 from the file of the Senior Civil Judge at Nirmal and
transfer to the file of Senior Civil Court at Komurambheem,Asifabad.

IA NO: 1 OF 2024

Petition under Section 151 of C.P.C., praying that in the circumstances
stated in the affidavit filed in support of the petition, the High Court may be
pleased to stay all further proceedings of HMOP No. 71 of 2023, on the file of
the Senior Civil Judge at Nirmal.

Counsel for the Petitioner :SRI. KONDADI AJAY KUMAR

Counsel for the Respondent : None Appeared

The Court made the following : ORDER

THE HONOURABLE SMT. JUSTICE P.SREE SUDHA

Tr.C.M.P.No.117 of 2024

ORDER:

This Transfer Civil Miscellaneous Petition is filed by wife for transferring of HMOP No.71 of 2023 filed before the learned Senior Civil Judge, at Nirmal to learned Senior Civil Court at Komurambheem.

2. Heard learned counsel for the petitioner as well as learned counsel for the respondent. Perused the record.

3. Learned counsel for the petitioner submitted that the petitioner is residing with her brother at Komrambheem Asifabad and is becoming difficult for her to travel to Nirmal on every date of hearing and the petitioner is depending on her brother for eking out her livelihood which is burdensome to her.

4. HMOP.No.71 of 2023 is filed by husband of the petitioner at learned Senior Civil Judge, at Nirmal, seeking dissolution of marriage.

5. After hearing the learned Counsel for the petitioner, this Court is of the considered opinion that in respect of transfer of proceedings of a matrimonial dispute, the convenience of the

wife is to be preferred over the convenience of husband, as held by the Hon'ble Apex Court in the case of **Rajani Kishor Paradeshi Vs. Kishore Babulal Paradeshi**¹ and **Sumita singh Vs. Kumar Sanjay and another**².

6. In view of above, this Court is of the opinion that sufficient grounds are made out on facts and in law to accept the plea of the petitioner/wife for transfer of HMOP No. 71 of 2023, pending on the file of learned Senior Civil Judge, at Nirmal to learned Senior Civil Court at Komurambheem.

7. In the result, the Tr.C.M.P. is allowed.

Miscellaneous petitions pending, if any, shall stand closed.

Sd/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The Court of Senior Civil Judge, Nirmal.
2. The court of Senior Civil Judge, Komurambheem, Asifabad.
3. One CC to SRI. KONDADI AJAY KUMAR Advocate [OPUC]
4. Two CD Copies

Pcsd/pr



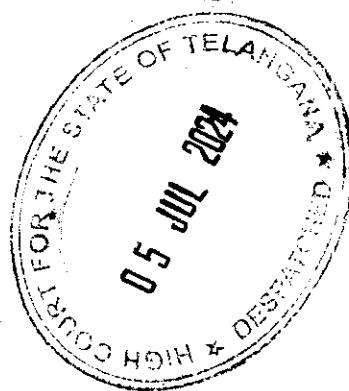
¹ (2005) 12 SCC 237

² AIR 2002 SC 396

HIGH COURT
DATED: 30/04/2024

ORDER

TRCMP.No.117 of 2024



ALLOWINTG THE TRANSFER CMP

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