



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3397]

THURSDAY, THE TWENTY THIRD DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE VENUTHURUMALLI GOPALA
KRISHNA RAO**

TRANSFER CIVIL MISCELLANEOUS PETITION NO: 122/2025

Between:

1. KOLE SUNANDA @ VENKATA SUNANDA KUMARI, W/O CHANDA RAVI KUMAR, D/O KOLE VENKATA SUBBANNA, AGED ABOUT 35 YEARS, R/O D.NO.2-914, NAGARAJUPET, KADAPA TOWN, Y.S.R. KADAPA DISTRICT, TEMPORARILY RESIDING AT D.NO.12-1676/1, NARAYANASWAMY NILAYAM, ROAD NO.23, SUNDARAI AH NAGAR, TADEPALLI, GUNTUR DISTRICT.

...PETITIONER

AND

1. CHANDA RAVI KUMAR, S/o Chandraiah, Aged about 34 years, Ayurveda Doctor, R/o D.No.10-6, Narayanapuram, H/o Nadikudi Village AND Post, Dachepalli Mandal, Palnadu 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 Pleased to withdraw the H.M.O.P.No.183/2024 from the file of Hon'ble Civil Judge (Senior Division), Gurazala and commit/transfer the same to the Hon'ble Family Court-cum- Additional District Judge, Kadapa, Y.S.R. District and pass

IA NO: 1 OF 2025

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 "STAY" all further proceedings in H.M.O.P.No. 183/2024 on the file of Hon'ble

Civil Judge (Senior Division), Gurazala including the appearance of the Petitioner till disposal of this Tr.C.M.P. and pass

Counsel for the Petitioner:

1.A SYAM SUNDAR REDDY

Counsel for the Respondent:

1.V V LAKSHMI NARAYANA

The Court made the following:

THE HON'BLE SRI JUSTICE V. GOPALA KRISHNA RAO

TRANSFER CRIMINAL PETITION No.122 of 2025

ORDER:

The petitioner filed the present petition under Section 24 of the Code of Civil Procedure, 1908 (for short, 'the C.P.C.'), seeking to withdraw the H.M.O.P.No.183 of 2024, on the file of learned Civil Judge (Senior Division), Gurazala, and transfer the same to the file of Family Court-cum-Additional District Kadapa, Y.S.R. District, for trial and disposal.

2. Heard Sri A. Syam Sundar Reddy, learned counsel for the petitioner and Sri V.V. Lakshmi Narayana, learned counsel for the respondent.

3.It is brought to the notice of this Court by the learned counsel for the respondent that the petitioner herein is currently working in Nationalized Bank / State Bank of India as Assistant Manager at Vijayawada and she is seeking transfer of H.M.O.P.No.183 of 2024 on the file of learned Civil Judge (Senior Division), Gurazala, to the Family Court at Kadapa.

4. The learned counsel for the petitioner fairly conceded that the petitioner herein is working as Assistant Branch Manager in State Bank of India at Vijayawada.

5. Perused the material available on record.

6. The material available on record *prima facie* goes to show that the respondent herein filed H.M.O.P.No.183 of 2024,before the learned Civil Judge (Senior Division), Gurazala, seeking dissolution of marriage, under

Section 13 (1) (1a) of the Hindu Marriage Act, 1956. It seems, H.M.O.P.No.183 of 2024 was listed for enquiry before the court below.

7. The material on record reveals that the respondent/ husband is currently residing at Gurazala at where H.M.O.P.No.183 of 2024 is pending. It is also evident, as seen from the material available on record that the petitioner/wife herein is currently residing at Vijayawada working as Assistant Branch Manager in State Bank of India at Vijayawada. No doubt, in matrimonial cases, the convenience of the wife has to be considered rather than the inconvenience caused to the husband. But in view of the peculiar facts of the case as the petitioner herein is currently residing at Vijayawada, this Court feels that, instead of transferring the H.M.O.P.No.183 of 2024, from Gurazala to Kadapa, it is desirable to dispense with the personal appearance of the petitioner herein i.e., respondent in H.M.O.P.No.183 of 2024 before the learned Civil Judge (Senior Division), Gurazala, except on the date her personal appearance is required before the said Court.

8. For the aforesaid reasons, this Court is of the considered view that instead of transferring the case i.e., H.M.O.P.No.183 of 2024, dispense with the personal appearance of the petitioner i.e., respondent in H.M.O.P.No.183 of 2024 before the learned Civil Judge (Senior Division), Gurazala will sub serve the ends of justice. The learned Civil Judge (Senior Division), Gurazala is hereby instructed not to insist upon the personal appearance of the respondent in H.M.O.P.No.183 of 2024, as long as her counsel on record is attending the Court proceedings and representing the case, except on the

date of recording her evidence in cross-examination or any other day her presence is essentially required before the said Court as directed by the learned Civil Judge (Junior Division), Gurazala.

9. It was represented by both sides counsel on record that a direction may be given to the trial Court for early disposal of the case, since the matter has been listed for enquiry before the trial Court. Considering the same, this Court feels that it is desirable to direct the learned Civil Judge (Senior Division), Gurazala to dispose of H.M.O.P.No.183 of 2024 within six (06) months from the date of receipt of the copy of the Order.

With the above observations, the Transfer Civil Miscellaneous Petition is disposed of. As a sequel, miscellaneous petitions, if any pending and the Interim Order granted earlier, if any, shall stand closed.

JUSTICE V. GOPALA KRISHNA RAO

Date: 23.04.2026

JLSR

THE HON'BLE SRI JUSTICE V. GOPALA KRISHNA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION No.122 of 2025

Date: 23.04.2026

JLSR