



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

[3397]

**TUESDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

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

TRANS. CIVIL MISC.PETITION NO: 324/2025

Between:

1.DR KALVA SPURTHI REDDY, D/O BHASKAR REDDY
AGED ABOUT 40 YEARS, DOCTOR, SUNSHINE
ADVANCED EYE CARE, HOSANNA MANDIR ROAD,
GOWRI SHANKAR COMPLEX, NANDYAL ROAD,
KURNOOL

...PETITIONER

AND

1.DR GUDIMETLA SUNDEEP REDDY, S/o Ramachandra
Reddy, Aged about 44 years Doctor, Dr.GR Reddy Eye
Care Center, Opp. RTC Bus Stand Out Gate,
Tadepailigudem

...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 For the reasons stated in the accompanying
affidavit, it is hereby prayed that this Hon'ble Court may be
pleased to transfer HMOP No. 131 of 2025 on the file of Honble
Civil Judge (Senior Division), Tadepailigudem, West Godavari

District to the court of Senior Civil Judge, Kurnool and pass such other order or orders may deem fit and proper in the circumstances of the case.

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 may be pleased to stay all the proceedings in HMOP No. 131 of 2025 on the file of Honble Civil Judge (Senior Division), Tadepalligudem, West Godavari District pending disposal of the main TRCMP and pass

Counsel for the Petitioner:

1.GHANTA SRIDHAR

Counsel for the Respondent:

1.N SIVA REDDY

The Court made the following:

THE HONOURABLE SRI JUSTICE VENUTHURUMALLI

GOPALA KRISHNA RAO

TRANSFER CIVIL MISCELLANEOUS PETITION NO: 324/2025

ORDER:-

The petitioner/wife has filed the present petition under Section 24 of the Code of Civil Procedure, 1908 (for short, "CPC"), seeking transfer of H.M.O.P. No. 131 of 2025 from the file of the learned Civil Judge (Senior Division), Tadepalligudem, to the file of the learned Senior Civil Judge, Kurnool, for trial and disposal.

2. The case of the petitioner/wife, in brief, is as follows:

i. The petitioner is the legally wedded wife of the respondent, and their marriage was solemnized on 28.02.2009 at Nizamabad. Due to matrimonial disputes, the petitioner has been residing separately along with her children, aged about 14 and 6 years, respectively. She is working as a physician in a local hospital at Kurnool to take care of her children.

ii. The petitioner further submits that the respondent, with an intention to cause inconvenience and harassment, filed H.M.O.P.

No. 131 of 2025 before the learned Civil Judge (Senior Division), Tadepalligudem, seeking dissolution of marriage under Section 13(1)(ib) of the Hindu Marriage Act, 1955, and the same is pending adjudication. It is also pleaded that the distance between Kurnool and Tadepalligudem is more than 450 kilometers, making it extremely difficult for the petitioner to attend the Court on every adjournment without assistance. Hence, she is constrained to file the present petition.

3. Heard Sri Ghanta Sridhar, learned Senior Counsel for the petitioner/wife, and Sri N. Siva Reddy, learned counsel for the respondent/husband.

4. Perused the material available on record.

5. The material on record *prima facie* shows that, in view of matrimonial disputes, the petitioner/wife has been residing separately along with her minor children aged about 14 and 6 years. It further discloses that the respondent/husband filed H.M.O.P. No. 131 of 2025 before the learned Civil Judge (Senior Division), Tadepalligudem, seeking dissolution of marriage under Section 13(1)(ib) of the Hindu Marriage Act, 1955, and the same is pending adjudication.

6. The Hon'ble Apex Court, in **Geeta Heera v. Harish Chander Heera**¹, held that if a wife does not have sufficient means to travel to the place where the divorce petition is filed by the husband, the transfer petition filed by the wife may be allowed.

7. The Hon'ble Apex Court, in **N.C.V. Aishwarya v. A.S. Saravana Karthik Sha**², held as follows:

“9. The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that the ends of justice should demand the transfer of the suit, appeal or other proceeding. In matrimonial matters, wherever Courts are called upon to consider the plea of transfer, the Courts have to take into consideration the economic soundness of both the parties, the social strata of the spouses and their behavioural pattern, their standard of life prior to the marriage and subsequent thereto and the circumstances of both the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Given the prevailing socio-economic paradigm in the Indian society, generally, it is the wife's convenience which must be looked at while considering transfer.”

¹ (2000) 10 SCC 304

² 2022 LiveLaw (SC) 627

8. Sri N. Siva Reddy, learned counsel for the respondent/husband, submits that if this Court is inclined to transfer H.M.O.P. No. 131 of 2025 from the file of the learned Civil Judge (Senior Division), Tadepalligudem, to the learned Family Court at Kurnool, the personal appearance of the respondent/husband may be dispensed with before the transferee Court, as he is an ophthalmologist running a private clinic at Tadepalligudem.

9. Upon considering the submissions of both parties, the material on record, and the principles laid down in the aforesaid judgments, and having regard to the fact that in matrimonial proceedings the convenience of the wife must be taken into consideration rather than the inconvenience caused to the husband, this Court is of the considered view that there are justifiable grounds to allow the request of the petitioner/wife for transfer of H.M.O.P. No. 131 of 2025 to the Court at Kurnool.

10. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. H.M.O.P. No. 131 of 2025, pending on the file of the learned Civil Judge (Senior Division), Tadepalligudem, is hereby withdrawn and transferred to the Family Court at Kurnool. The

learned Civil Judge (Senior Division), Tadepalligudem, shall transmit the entire case record forthwith to the learned Judge, Family Court, Kurnool, duly indexed, as expeditiously as possible, preferably within one (01) week from the date of receipt of a copy of this order.

11. Both parties are directed to appear before the learned Judge, Family Court, Kurnool, on 15.06.2026 at 10:30 A.M. Later, the transferee Court shall not insist the personal appearance of the respondent/husband i.e., petitioner before the learned Judge, Family Court, Kurnool, as long as his counsel represents him, except on the dates of reconciliation proceedings, recording of cross-examination of the respondent herein, or on any other date especially his presence is required before the learned Judge, Family Court, Kurnool.

12. There shall be no order as to costs.

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: 21.04.2026
LSP

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

TRANSFER CIVIL MISCELLANEOUS PETITION NO: 324/2025

Date: 21.04.2026
LSP