

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 859 OF 2012

BALA JYOTHI BARIGALA

PETITIONER(s)

VERSUS

THAMBI JOSEPH KOTA

RESPONDENT(s)

O R D E R

This is wife's petition for transfer of matrimonial case being O.P. No 1440 of 2011, titled as "Thambi Joseph Kota vs. Bala Jyothi Barigala", from the Family Court, Hyderabad, Andhra Pradesh to the Family Court, Chennai, Tamil Nadu.

2. The notice of Transfer Petition has been served on the respondent and he has filed counter-affidavit in opposition to the Transfer Petition.

3. We have carefully considered the averments made in the Transfer Petition and the counter-affidavit.

4. Having regard to the fact that the petitioner-wife is a Nurse and presently residing in Chennai, we are satisfied that greater hardship shall be caused to her in case the proceedings in the above matrimonial case are allowed to be continued at

Hyderabad.

5. We, accordingly, allow the transfer petition and transfer matrimonial case being O.P. No 1440 of 2011, titled as "Thambi Joseph Kota vs. Bala Jyothi Barigala", from the Family Court, Hyderabad, Andhra Pradesh to the Family Court, Chennai, Tamil Nadu. The transferrer court shall transmit the record and proceedings of the transferred matrimonial case to the transferee court without any delay.

6. The transferee court is requested to hear and decide the transferred matrimonial case as expeditiously as may be possible.

The parties are directed to co-operate with the transferee court in expeditious disposal of the matrimonial case.

7. The parties are at liberty to apply to the transferee court for mediation. Should such a request be made, the transferee court would do the needful.

8. No costs.

.....J.
(R.M. LODHA)

.....J.
(KURIAN JOSEPH)

NEW DELHI
MAY 3, 2013.

ITEM NO.40 COURT NO.4 SECTION XVIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

TRANSFER PETITION (CIVIL.) NO(s). 859 OF 2012

BALA JYOTHI BARIGALA Petitioner(s)

VERSUS

THAMBI JOSEPH KOTA Respondent(s)

(With appln(s) for stay and office report)

Date: 03/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA
HON'BLE MR. JUSTICE KURIAN JOSEPH

For Petitioner(s) Mr. S. Gowthaman,Adv.

For Respondent(s) Mr. S. Sadasiva Reddy, Adv. for
Mrs. S. Usha Reddy,Adv.

UPON hearing counsel the Court made the following
O R D E R

Transfer Petition is allowed in terms of signed order. No
costs.

|(Pardeep Kumar)
|Court Master

|(Renu Diwan)
|Court Master

[SIGNED ORDER IS PLACED ON THE FILE]