

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 472 OF 2023

D.V. SUGANYA PETITIONER(S)

VERSUS

GARNEPUDI PRAMOD KUMAR RESPONDENT(S)

with

TRANSFER PETITION (CIVIL) NO. 676 OF 2023

and

TRANSFER PETITION (CRIMINAL) NO. 182 OF 2023

O R D E R

TRANSFER PETITION (CIVIL) NO. 472 OF 2023

The petitioner - D.V. Suganya, wife of the respondent - Garnepudi Pramod Kumar has filed this transfer petition seeking transfer of DOP no. 73/2021 titled as "*Garnepudi Pramod Kumar vs. Dantham Suganya Victor*", pending before the Principal District Judge at Ongole, Andhra Pradesh to the IV Additional Family Court, Chennai, Tamil Nadu on the ground that she is a household lady having one and half year old daughter. Further, it would be inconvenient to go and attend proceedings at Ongole, Andhra Pradesh, as she is presently residing at Chennai, Tamil Nadu.

Learned counsel for the respondent opposes the prayer for transfer.

However, considering the convenience of the petitioner and in particular, that she is having a child of one and half year only, we are of the considered opinion that it is a fit case for

accepting the prayer for transfer.

Accordingly, DOP no. 73/2021 titled as "*Garnepudi Pramod Kumar vs. Dantham Suganya Victor*", pending before the Principal District Judge at Ongole, Andhra Pradesh is directed to be transferred to the IV Additional Family Court, Chennai, Tamil Nadu, who may hear the case himself or assign to a Court of competent jurisdiction.

Records of the case would be immediately transferred to the transferee Court.

To cut short delay, parties are directed to appear in-person or through the authorized representatives, or through video-conferencing if the said facility is available in the transferee Court on 05.07.2023. The respondent-husband shall not be insisted by the transferee Court to appear in person until his presence is mandatorily required and he may be permitted to participate in the proceedings by virtual mode. In case there is non-appearance on behalf of any party on the date fixed, Court notice would be issued by the transferee Court to the defaulting party.

The parties may explore possibility of settlement through mediation. The transferee Court would obtain the desire and wishes of the parties and proceed accordingly in this regard.

The transferee Court would decide the matter expeditiously.

The transfer petition is accordingly allowed.

Pending application(s), if any, shall stand disposed of.

TRANSFER PETITION (CIVIL) NO. 676 OF 2023 and TRANSFER PETITION (CRIMINAL) NO. 182 OF 2023

These two transfer petitions have been filed by the

petitioner - Garnepudi Pramod Kumar, the husband of the respondent - D.V. Suganya seeking transfer of O.P. no. 5345/2022 titled as "*D.V. Suganya vs. Garnepudi Pramod Kumar*", pending before the IV Family Court, Chennai, Tamil Nadu to the Family Court-cum-Court of VIII Additional District Judge, Ongole, Andhra Pradesh and M.C. no. 264/2021 titled as "*D.V. Suganya vs. Garnepudi Pramod Kumar*", pending before the IV Additional Family Court, Chennai, Tamil Nadu to the Court of Additional Judicial First Class Magistrate, Addanki, District Prakasam, Andhra Pradesh, respectively.

After hearing the learned counsel for the parties and considering the fact that the respondent is a housewife residing at Chennai, Tamil Nadu and has a one and half year old daughter, we are not inclined to transfer the cases mentioned above.

Accordingly, both the transfer petitions filed by the petitioner-husband stand dismissed.

Considering the facts and circumstances of the case, it is observed that the petitioner-husband shall not be insisted by the Court(s) concerned to appear in person until his presence is mandatorily required and he may be permitted to participate in the proceedings by virtual mode.

Pending application(s), if any, shall stand disposed of.

.....J.
(J.K. MAHESHWARI)

.....J.
(M.M. SUNDRESH)

NEW DELHI;
May 10, 2023.

ITEM NO.4

COURT NO.15

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Transfer Petition (Civil) No. 472/2023

D.V. SUGANYA

Petitioner(s)

VERSUS

GARNEPUDI PRAMOD KUMAR

Respondent(s)

(FOR FOR STAY APPLICATION ON IA 37892/2023)

WITH

T.P.(C) No. 676/2023 (XVI-A)
 IA No. 54837/2023 - STAY APPLICATION)

T.P.(CrI.) No. 182/2023 (XVI-A)
 (FOR EX-PARTE STAY ON IA 54805/2023)

Date : 10-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.K. MAHESHWARI
 HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. Sadineni Ravi Kumar, AOR

Mr. G. Balaji, AOR
 Ms. Shashi, Adv.

For Respondent(s)

Mr. Sadineni Ravi Kumar, AOR

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

T.P.(C) No. 472/2023

The transfer petition is allowed in terms of the signed order.

Pending application(s), if any, shall stand disposed of.

T.P.(C) No. 676/2023 and T.P.(CrI.) No. 182/2023

The transfer petitions are dismissed in terms of the signed

order .

Pending application(s), if any, shall stand disposed of.

(DEEPAK GUGLANI)
AR-cum-PS

(R.S. NARAYANAN)
COURT MASTER (NSH)

(signed order is placed on the file)