



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 9TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE C M JOSHI

CIVIL PETITION NO.100232 OF 2025

BETWEEN:

SMT. YASHODA @ LAXMI
W/O. NAGARAJA DAVANAGERE,
AGE: 25 YEARS, OCC. HOUSEHOLD WORK,
R/O. RANEBENNURU, TQ. RANEBENNURU,
DIST. HAVERI,
PRESENT AT HULLUR VILLAGE,
TQ. LAXMESHWARA, DIST. GADAG-582116.

...PETITIONER

(BY SRI. KOLIWAD SHARANAPPA SHIVAMOORTEPPA, ADVOCATE)

AND:

SRI. NAGARAJA S/O. VEERABADRAPPA DAVANAGERI,
AGE: 34 YEARS, OCC. DRIVER/COOLIE,
R/O. KOTE ROAD, NEAR RAM MANDIRA TEMPLE,
(NEAR SHRI VEERABADRESHWAR KALYANA MANTAPA)
RANEBENNUR, TQ. RANEBENNURU, DIST. HAVERI,
PHONE NO.9880094423, PIN-581115.

...RESPONDENT

(RESPONDENT NOTICE SERVED)

THIS CIVIL PETITION IS FILED U/SEC.24 OF CPC, PRAYING TO PASS AN ORDER TRANSFERRING THE PROCEEDINGS IN MC NO.26/2024 IN COURT OF 1ST ADDL. SENIOR CIVIL JUDGE AND JMFC RANEBENNUR TO SENIOR CIVIL JUDGE AND JMFC LAXMESHWAR, IN THE INTEREST OF JUSTICE.

THIS PETITION, COMING ON FOR ADMISSION THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

YASHAVANT
NARAYANKAR

Digitally signed by
YASHAVANT
NARAYANKAR
Date: 2025.12.12
11:50:38 +0530



ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE C M JOSHI)

Heard learned counsel appearing for the petitioner.

2. The respondent is the husband of the petitioner.
3. The petitioner is seeking transfer of M.C.No.26/2024 pending before the Principal Senior Civil Judge, Ranebennur to Senior Civil Judge and JMFC, Laxmeshwar.
4. Learned counsel appearing for the petitioner would submit that the marriage of the petitioner and respondent had solemnized on 26.12.2021 and thereafter, the relationship between the petitioner and the respondent was not cordial and as such, the petitioner started staying at her parents' house at Hullur of Laxmeshwara taluk. It is contended that the respondent has filed M.C.No.26/2024 before Prl. Senior Civil Judge, Ranebennur, seeking divorce.
5. It is further submitted that the petitioner has to travel from her village to Laxmeshwar and from there to Ranebennur to conduct her case. It is submitted that the parents



of the petitioner are also old aged and therefore, they cannot accompany the petitioner to Ranebennur. It is contended that the respondent had threatened the petitioner not to come to Ranebennur and therefore, she is constrained to file this petition.

6. The respondent has not appeared despite service of notice.

7. Considering the grievance of the petitioner, which is not controverted, it is a fit case where the petition deserves to be allowed.

8. This Court in the case of **Smt. M. V. Rekha V/s. Sri Sathya @ Suraj¹** at Paragraph No.15 has held as hereunder:

"The cardinal principle for exercise of power under Section 24 of the Code of Civil Procedure is that ends of justice 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 either of the parties, the social strata of the

¹ ILR 2010 KAR 5407



spouses and behavioural pattern, their standard of life antecedent to marriage and subsequent thereon and the circumstances of either of the parties in eking out their livelihood and under whose protective umbrella they are seeking their sustenance to life. Generally, it is the wife's convenience which must be looked at while considering transfer. Further, when two proceedings in different Courts which raise common question of fact and law and when the decisions are interdependent, it is desirable that they should be tried together by the same Judge so as to avoid multiplicity in trial of the same issues and conflict of decisions (See Smt.NandaKishori v. S.B.Shiva Prakash AIR 1993 Kar 87, Sumita Singh v. Kumar Sanjay and Anr. AIR 2002 SC 396 and Smt.Swarna Gouri v. Sri Vinayak Pujar ILR 2007 Kar 4561)."

(emphasis supplied)

9. Therefore, the petition deserves to be allowed and hence, the following:

ORDER

- i. The petition is **allowed**.
- ii. The M.C.No.26/2024 pending before the Prl.

Senior Civil Judge and JMFC, Ranebennur is



hereby withdrawn and transferred to the Court of learned Senior Civil Judge, Laxmeshwar for disposal in accordance with law.

iii. The transferor Court may fix the date of appearance of the parties before the transferee Court at the convenience of the parties.

iv. Intimate both the Courts accordingly.

SD/-
(C M JOSHI)
JUDGE

RKM
CT:PA
LIST NO.: 1 SL NO.: 36