



CNR: KAHC010065782026

NC: 2026:KHC:49707
CP No. 38 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 11TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE RAVI V HOSMANI
CIVIL PETITION NO.38 OF 2026

BETWEEN:

SMT.MARSHILA MARIYAPPA NADAKATTIN
@ MARSHILA NADAKATTIN,
AGED ABOUT 31 YEARS,
W/O ROBERT SONY P,
RESIDING AT KHADI PLOT,
NEAR MENTALLY RETARDED RES.
SPECIAL CHILDREN-SCHOOL,
RANGAVADOOTARNAGAR,
GADAG DISTRICT, BETAGIRI,
KARNATAKA STATE - 582 102.

...PETITIONER

(BY SRI CHANDRASHEKAR P PATIL, ADVOCATE)

AND:

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka

MR. ROBERT SONY P
S/O SRI PRAKASH P.,
AGED ABOUT 38 YEARS,
R/A NO.204, 2ND FLOOR,
MATRUSHREE NILAYA,
1ST CROSS, BEHIND SLV,
P.G.GULLAPPA REDDY LAYOUT,
MAHADEVAPURA, K.R.PURA HOBLI,
BANGALORE - 560 048.

...RESPONDENT

(BY SMT.NETHRAVATHI K., ADVOCATE AND
SRI VASUDEVAN P V., ADVOCATE)



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THIS CP IS FILED UNDER SEC.24 OF CPC., PRAYING TO TRANSFER MC NO.924/2024, PENDING ON THE FILE OF III ADDITIONAL PRINCIPAL SENIOR CIVIL JUDGE, BENGALURU RURAL DISTRICT, BENGALURU TO THE FAMILY COURT GADAG IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL ORDER

Seeking for transfer of proceedings in MC no.924/2024 on file of III Principal Senior Civil Judge, Bengaluru Rural District, Bengaluru to Family Court at Gadag, this petition is filed.

2. Sri Chandrashekar P. Patil, learned counsel petitioner submitted that petitioner married respondent on 17.11.2022 at Gadag and led marital life at Bangalore during which there was discord leading petitioner to go back to her parents at Gadag. In meanwhile, respondent had filed MC no.924/2024 for divorce before Principal Senior Civil Judge, Bengaluru Rural, Bengaluru. It was submitted, since petitioner was residing with her parents at Gadag, she was unable to travel to Bangalore and prosecute petition. As distance between



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Gadag and Bangalore was more than 400 kms. Moreover, she had no source of income and also alleged threat to her at Bangalore. Under above circumstances, if proceedings are not transferred to Gadag, petitioner would be deprived of appropriate opportunity to defend herself and therefore, prayed for allowing petition.

3. Smt.Nethravati K, learned counsel appearing for Sri Vasudevan P.V., advocate for respondent vehemently opposed petition. It was submitted, petition for divorce was filed in Court at Bangalore, since wedded couple had last resided within jurisdiction of said Court and cause of action for divorce had occurred therein. It was submitted, respondent was resident of Bangalore, working as cab driver and in case of transfer of proceedings, he would be subjected to prejudice. It was also submitted that respondent had to take care of his old aged parents. It was submitted that there was no complaint lodged about any life threat and therefore, there was no justification for transfer on that count. On said ground sought for dismissal.

4. Heard learned counsel and perused petition.



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5. This petition is for transfer of proceedings in MC no.924/2024 on file of III Principal Senior Civil Judge, Bengaluru Rural District, Bengaluru to Family Court at Gadag.

6. Hon'ble Supreme Court in **NCV Aishwarya v. AS Saravana Karthik Sha**, reported in **(2022) SCC OnLine SC 1199** held petition for transfer of matrimonial proceedings, convenience of wife would be of prime importance and unless a case of grave prejudice was established, Courts would require to consider request of wife for transfer. Though a case of hardship being caused by transfer is urged by respondent, it is seen there is no dispute about petitioner residing at Gadag with her parents and about her being without any source of income.

7. Besides above, a petition for maintenance has been filed by petitioner at Gadag, which was disputed on ground of non-receipt of notice of said proceedings yet. Thus apart from petitioner staying with her parents and being without source of income for consolidation of proceedings at one place also petition would require to be transferred.



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8. In view of above, petition is ***allowed***, proceedings in MC no.924/2024 pending before III Principal Senior Civil Judge, Bengaluru Rural District, Bengaluru stands withdrawn and ***transferred*** to Family Court at Gadag.

Transferee Court is directed to expedite proceedings.

Sd/-
(RAVI V HOSMANI)
JUDGE

GRD
List No.: 1 SI No.: 13