



CNR: KAHC010363252026

NC: 2026:KHC:40247
CP No. 171 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF JULY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

CIVIL PETITION NO. 171 OF 2026

BETWEEN:

SMT. RASHMI S.S
W/O MADHUKAR PRADEEP M,
(ALSO KNOWN AS MADHUKAR PRADEEP
MYLA AS PER PASSPORT)
D/O SHIVAMURTHY K.G,
AGED ABOUT 33 YEARS,
R/AT SREE GURUDATTA KRUPA,
2ND CROSS, NEAR BGS SCHOOL,
GURUPURA HOLEHONNURU ROAD,
SHIVAMOGGA - 577 201.

...PETITIONER

(BY SRI. JAGADEESHA G.S., ADVOCATE)

AND:

SRI. MADHUKAR PRADEEP M
(ALSO KNOWN AS MADHUKAR PRADEEP
MYLAR AS PER PASSPORT)
S/O MYLAR PRAKASH,
AGED ABOUT 37 YEARS
RESIDING AT NO 1207,
"GANGOTHRI" 4TH MAIN ROAD,
E BLOCK, 2ND STAGE, RAJAJINAGAR,
BANGALORE NORTH BANGALORE - 560 010.

PRESENTLY WORKING AND RESIDING AT

Digitally signed
by
PADMASHREE
SHEKHAR
DESAI

Location: High
Court of
Karnataka



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13298D, BLUEBERRY,
LN APARTMENT, 302,
FAIRFAX VA 22033-4863, USA.

...RESPONDENT

(VIDE ORDER DATED 29.07.2026, NOTICE TO RESPONDENT IS UNCLAIMED AND HELD SUFFICIENT)

THIS CP IS FILED U/S. 24 OF CPC PRAYING TO TRANSFER MC NO.864/2025 PENDING ON THE FILE OF THE HONBLE II ADDITIONAL PRL. JUDGE, FAMILY COURT, BENGALURU TO THE PRINCIPAL FAMILY COURT AT SHIVAMOGGA, SHIVAMOGGA DISTRICT.

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

CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL ORDER

Notice issued to respondent has been returned with the endorsement "Unclaimed." Hence, the service of notice is held to be sufficient and respondent is placed *ex-parte*.

2. Apart from the above, the petitioner has also served notice on the learned counsel appearing for the respondent before the trial Court and has produced an acknowledgment evidencing such service. Despite service



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of notice, neither the respondent nor his counsel has appeared before this Court.

3. Heard the argument of learned counsel for the petitioner.

4. This present petition is filed by the wife seeking transfer of M.C. No.864/2024, filed by the husband for divorce before the Court of the II Additional Principal Judge, Family Court, Bengaluru, to the Principal Family Court at Shivamogga, which is at a distance of 305 km.

5. The petitioner has stated that her marriage was solemnized on 30.03.2022 and that they were blessed with a child on 05.08.2025, who is presently aged 11 months. It is further stated that she has filed M.C. No.168/2026 for restitution of conjugal rights before the Family Court at Shivamogga and CrI.Misc.No.136/2026 seeking maintenance under Section 125 Cr.P.C. Apart from that, Crime No.35/2026 has been registered under Section 498-A IPC, and CrI. M.C. No.124/2026 has been



filed under the Protection of Women from Domestic Violence Act.

6. Both the parties have filed proceedings against each other, one seeking divorce and the other seeking restitution of conjugal rights. Though the petitioner herein filed the petition for restitution of conjugal rights after the filing of the divorce petition, both the matters ought to be tried together by the same Court to avoid conflicting decisions. The petitioner is not employed, has no independent source of income and is dependent upon her parents. Therefore, this Court finds it just and proper to transfer M.C.No.864/2025 filed by the husband for divorce to the Family Court at Shivamogga, to be tried along with M.C. No.168/2026 filed for restitution of conjugal rights.

7. The Family Court is specifically directed to club both the matters and dispose of them together at a time so as to avoid conflicting judgments.

8. Accordingly, the petition is ***allowed***.



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Pending IAs' is closed in view of disposal of the main petition.

Sd/-
(P SREE SUDHA)
JUDGE

TMP
List No.: 1 Sl No.: 1