



CNR: KAHC010433972026

NC: 2026:KHC:49988
CP No. 204 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. 204 OF 2026

BETWEEN:

SMT.CHAITHRA S
W/O RAVIKUMAR,
AGED ABOUT 36 YEARS,
R/A NO.37, 15TH CROSS, 3RD MAIN,
ANNAPOORNESHWARI NAGAR,
SRIGANDHA KAVAl,
BANGALORE - 560 091.

...PETITIONER

(BY SRI ANIL SHEKAR K.S., ADVOCATE)

AND:

SRI RAVIKUMAR C
S/O CHANDRA SHEKAR,
AGED ABOUT 39 YEARS,
R/A HOSUDHYA VILLAGE
VENKATAGIRIKOTE,
DEVANAHALLI, TALUK,
BANGALORE RURAL TALUK - 562 110.

...RESPONDENT

(BY SRI DEVENDRA N., ADVOCATE)

THIS CP IS FILED UNDER SEC.24 OF CPC., PRAYING TO
TRANSFER M.C.NO.67/2024 FROM THE FILE OF THE III
ADDITIONAL SENIOR CIVIL JUDGE AND JMFC, AT

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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DEVANAHALLI, TO THE PRINCIPAL, FAMILY COURT AT BENGALURU.

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 M.C.no.67/2024 from file of III Addl. Senior Civil Judge and JMFC, Devanahalli to Principal Family Court at Bengaluru, this petition is filed.

2. Sri Anil Shekar K.S., learned counsel for petitioner submitted that marriage of petitioner and respondent was solemnized at Muktheshwaraswamy temple, Murugamalla, Chintamani taluk on 12.05.2013. From wedlock, two children were born. That due to subsequent matrimonial discord, she was constrained to leave matrimonial home and reside with her widowed mother at Bengaluru. It was submitted that she was without any source of income and had, therefore, filed Crl.Misc.no.199/2023 before III Additional Metropolitan Magistrate Court at Bengaluru, for maintenance under Section 12 of Protection of Women from Domestic Violence Act, 2005



(**DV Act**). It was submitted that respondent, in meanwhile, had filed M.C.no.67/2024 at Devanahalli for restitution of conjugal rights. It was submitted that children being differently and specially abled and require continuous care, she would not be able to duly prosecute proceedings at Devanahalli and since G & WC.no.15006/2023 filed by respondent earlier at Devanahalli was transferred by this Court in C.P.no.28/2024 to Bengaluru, respondent would require to attend said proceedings in Bengaluru, and therefore, no prejudice would be caused by transfer. On above ground, sought for allowing petition.

3. Learned counsel for respondent, however, sought to rely upon decision of this Court in C.P.no.334/2025 [2025:KHC:44927] (*Smt.D.Roopas case*) to contend that in view of establishment of e-seva kendra's and facility for video conferencing being available, there would be no need for transfer of proceedings.

4. On basis of same, learned counsel submitted that there would be no need for transfer and proceedings could be attended on video conferencing. On said ground, sought for dismissal.



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5. It was further submitted proceedings in G & WC were pending at Bengaluru and would not present entire picture as petitioner herein was not proceeding, for want of petitioner entering appearance therein. Memo was filed to state that in pursuance of order dated 29.07.2024 in C.P.no.28/2024, G & W.C.no.15006/2023 stood transferred to Court of I Additional Family Court and renumbered as G & WC no.378/2024 and next date of hearing fixed on 17.10.2026.

6. In view of above, it was apparent that transfer was sought only to dilate proceedings and heap hardship on respondent. On said ground, sought for dismissal.

7. Heard learned counsel, perused petition and material on record.

8. This petition is for transfer of matrimonial proceedings filed by wife. In following decisions, Hon'ble Supreme Court has held that convenience of wife would of paramount importance -



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- i. Rajani Kishor Pardeshi v. Kishor Babulal Pardeshi, reported in (2005)12 SCC 237;
- ii. Sumita Singh v. Kumar Sanjay & Another reported in (2001)10 SCC 41; and
- iii. N.C.V.Aishwarya v. A.S. Saravana Karthik Sha, reported in 2022 SCC OnLine SC 1199.

9. In instant case, wife is residing at Bengaluru. Apart from above, petition filed by her under DV Act is pending. Even G & WC. petition filed by husband has been transferred to Bengaluru. Therefore, continuation of proceedings for restitution at Devanahalli would not be justified. It would be in interest of both parties that all proceedings are consolidated at one place.

10. For said reason, petition is **allowed**, proceedings in M.C.no.67/2024 on file of III Addl. Senior Civil Judge & JMFC at Devanahalli stand withdrawn and transferred to Court of I Addl. Family Court, Bengaluru, to be clubbed along with G & WC.no.378/2024 to facilitate early conclusion of both proceedings.



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11. Since both parties are represented, they are directed to appear before said Court on **17.10.2026**. Petitioner undertakes to enter appearance in G & WC. case and proceed with both matters. Undertaking of both matters to co-operate for early conclusion is recorded.

**Sd/-
(RAVI V HOSMANI)
JUDGE**

HNM
List No.: 1 Sl No.: 20