



CNR: KAHC010508602026

NC: 2026:KHC:51118
CP No. 248 of 2026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 18TH DAY OF SEPTEMBER, 2026
BEFORE**

**THE HON'BLE MR. JUSTICE RAVI V HOSMANI
CIVIL PETITION NO. 248 OF 2026**

BETWEEN:

SMT.G.SHRUTHI
W/O G N SHIVASHANKARA.
D/O GURUMURTHY,
AGED ABOUT 35 YEARS,
R/AT BIDARAKERE VILLAGE,
JAGALURU TALUK,
DAVANAGERE AND DISTRICT - 577 521.

...PETITIONER

(BY SMT.S.K.SUSHMA, ADVOCATE FOR
SRI MAHESHAIAH RUDRAYYA HIEMATHAD, ADV.)

AND:

SRI G N SHIVASHANKAR
S/O NAGENDRAPPA,
AGED ABOUT 42 YEARS,
R/O NO.288, BEHIND S B M,
SINGASANDRA, HOSURU ROAD,
BENGALURU - 560 068.

...RESPONDENT

(BY SRI KRISHNA B J., ADVOCATE)

THIS CP IS FILED UNDER SEC.24 OF CPC., PRAYING TO
PASS AN ORDER FOR THE TRANSFER OF THE PETITION FILED
BY THE RESPONDENT HEREIN IN MC NO.2575/2026 FROM THE
FILE OF THE LEARNED I ADDITIONAL PRL. JUDGE, FAMILY
COURT, BENGALURU PETITIONER IS PRODUCED AT ANNEXURE

Digitally signed
by ANUSHA V
Location: High
Court of
Karnataka



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- A, TO LEARNED PRINCIPAL CIVIL JUDGE AND JMFC, AT JAGALURU, 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 M.C.no.2575/2026 on file of I Addl. Prl. Civil Judge, Family Court, Bengaluru to Prl. Civil Judge and JMFC, at Jagalur, this petition is filed.

2. Ms.Sushma, learned counsel appearing for Sri M.R.Hiremathad, Advocate for petitioner submitted that marriage of petitioner and respondent was solemnized on 10.08.2011 at Chitradurga and thereafter petitioner led marital life with respondent, in course of which a son was born. In meanwhile, petitioner was appointed as Anganawadi worker at Bidarakere village, Jagalur. It is submitted that due to matrimonial discord, she was forced to reside at Jagalur. Respondent was working as a driver in Bengaluru and had filed M.C.no.2575/2026 for dissolution of marriage before Family Court at Bengaluru. Since petitioner was unable to travel from



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Jagalur to Bengaluru, which was at a distance of 242 kms., she was seeking for transfer. It was further submitted that petitioner was required to take care of minor son with limited financial resources. On said ground, sought for transfer.

3. Sri Krishna B.J., learned counsel for respondent, however, would oppose petition. It was submitted that there was no justification for transfer. Respondent was a cab driver earning his livelihood on day today basis. In case of transfer of proceedings he would be unable to contest or pursue petition and would be virtually deprived of opportunities. It was submitted that petitioner was working as an Anganwadi worker and petition for maintenance of son had ended in settlement and respondent was paying maintenance to child regularly.

4. It was further submitted that respondent was agreeable for payment of transportation expenses to petitioner and also undertook not to seek even a single adjournment in matrimony proceedings and to fully co-operate for early conclusion without causing inconvenience to petitioner. In view of above, it was submitted that there were no good grounds for transfer and sought for dismissal.



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5. Heard learned counsel and perused material on record.

6. This petition is by wife for transfer of matrimonial proceedings from Family Court at Bengaluru to Court of Jagalur. Marriage of petitioner and respondent and birth of child from wedlock is not in dispute. Grounds urged in support of transfer of petition are petitioner is with limited financial resources and unable to travel and has responsibility of maintaining her minor son and respondent being a male person would be in better position to travel.

7. Though Hon'ble Supreme Court in cases of **Sumita Singh v. Kumar Sanjay & Anr.**, reported in **(2001) 10 SCC 41**; **Rajani Kishor Pradeshi v. Kishor Babulal Pardeshi**, reported in **(2005) 12 SCC 237** and **NCV Aishwarya v. AS Saravana Karthik Sha**, reported in **(2022) SCC OnLine SC 1199**, has held that while considering petition for transfer of matrimonial proceedings, convenience of wife would be of primary importance, it is observed that factors substantiating convenience or inconvenience of both parties have to be weighed. Absence of source of income and maintenance,



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distance to be traveled and comparative hardship are some of factors indicated. In instant case, petitioner herself has stated that she is working as Anganawadi Worker. Statement by counsel for respondent that he is paying maintenance to his son regularly is not controverted.

8. Under above circumstances, only factor weighing in favour of petitioner is her gender. This Court in **C.P.no.334/2025 [2025:KHC:44927] (Smt.D.Roopa's case)** has held hardship can be balanced by permitting wife to appear through Video Conferencing availing services at e-seva kendra. That apart, respondent has undertaken to pay for travel and other expenses.

9. In view of above, there would be no good grounds to consider petition. Petition is **dismissed** with a direction to respondent to pay a sum of Rs.2,000/- on every date petitioner would require to attend proceedings before Family Court at Bengaluru. On other dates she would be permitted to appear through Video Conferencing from E-seva Kendra.



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10. Undertaking of respondent not to take adjournment and to co-operate for early conclusion of proceedings is recorded.

Sd/-
(RAVI V HOSMANI)
JUDGE

HNM
List No.: 1 SI No.: 18