HC-KAR

NC: 2025:KHC:53416
CP No. 383 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12TH DAY OF DECEMBER, 2025

BEFORE

THE HON'BLE MR. JUSTICE V SRISHANANDA

CIVIL PETITION NO. 383 OF 2025

BETWEEN:

SMT. VANDANA.Y
AGED ABOUT 25 YEARS,
W/O MANOJ KUMAR N.R
R/AT NO.235, 2ND STAGE,
MADAGOWDANAHALLI ROAD,
GANADHARAPURA LAYOUT,
DODDABALLAPURA
BENGALURU RURAL DISTRICT - 561 203.

...PETITIONER

(BY SRI. ANOOP HARANAHALLI, ADVOCATE)

AND:

Digitally signed by KAVYA R
Location: High court of Karnataka

SRI. MANOJ KUMAR. N. R.
S/O RAMESH N.A
AGED ABOUT 28 YEARS,
RESIDING AT NO.40,
GANGOTHRI LAYOUT,
DHANAYAKANAHALLI
BENGALURU - 560 060.

...RESPONDENT

(BY SRI. DINAKAR M.P, ADVOCATE)

THIS CIVIL PETITION FILED UNDER SEC. 24 OF THE CIVIL PROCEDURE CODE. 1908., PRAYING TO TRANSFER THE PETITION FILED BY RESPONDENT IN MC NO.60/2025 PENDING

ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC, MALAVALLI, MANDYA DISTRICT TO THE HONBLE SENIOR CIVIL JUDGE AND JMFC, DODDABALLAPURA, BENGALURU RURAL DISTRICT, 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 V SRISHANANDA

ORAL ORDER

Heard Sri.Anoop Haranahalli, learned counsel for the petitioner and Sri.Dinakar M. P., learned counsel for the respondent.

2. Petition is filed by the wife under Section 24 of Code of Civil Procedure seeking following relief:

> *"Wherefore, it is prayed that this Hon'ble Court may be pleased to transfer the petition filed by respondent in MC No.60/2025 pending on the file of the Senior Civil Judge and JMFC, Malavalli, Mandya District to the Hon'ble Senior Civil Judge and JMFC, Doddaballapur, Bengaluru Rural District, in the interest of justice and equity."*

3. Facts of the case which are utmost necessary for disposal of the petition are as under:

3.1. On account of strained matrimonial relationship, husband and wife are living separately.

3.2. Husband has filed a petition under Section 9 of the Hindu Marriage Act seeking restitution of conjugal rights on the file of Senior Civil Judge and JMFC, Malavalli, Mandya District. Wife is now residing in Doddaballapur and husband said to have been residing in Bengaluru and therefore, petitioner has sought for transfer of the case from Malavalli to Doddaballapur on account of geographical distance and financial incapacity.

4. Ground of transfer was opposed by learned counsel for the respondent.

5. Having noted the fact that geographical distance and financial incapacity are no longer valid parameters for transfer of a case from one Court to

another Court, in view of the video conferencing facility, the petition needs to be dismissed.

6. However, if the petitioner files an application before the Court at Malavalli to participate through video conference, same shall be allowed by the learned Trial Judge in Malavalli.

7. Moreover, if the wife is interested to join the husband, she can very well make her stand clear and entire petition itself will be disposed of in one hearing.

8. With the above observation, following:

ORDER

Petition is ***dismissed***.

Sd/-
(V SRISHANANDA)
JUDGE

KAV
List No.: 1 Sl No.: 33