HC-KAR

NC: 2026:KHC:61856
CP No. 211 of 2026

CNR: KAHC010441352026

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 6TH DAY OF NOVEMBER, 2026**

**BEFORE**

**THE HON'BLE MR. JUSTICE RAVI V HOSMANI**

**CIVIL PETITION NO. 211 OF 2026**

**BETWEEN:**

DR. N.V. AKHILA
AGED 31 YEARS,
W/O DR. ASHWATH RAO C.R,
R/AT 249-3, SHASHWATHI,
WEST BLOCK ROAD,
KUNDAPURA - 576 201,
UDUPI DISTRICT.

...PETITIONER

(BY SMT. VEENA SANTOSH KUMAR, ADVOCATE FOR
SRI. SUDESH KUMAR ACHARYA, ADVOCATE)

**AND:**

Digitally signed by ASHWINI MAYAPPA MAVARAKAR
Location: High Court of Karnataka

DR. ASHWATH RAO C.R
AGED 32 YEARS
S/O DR. C.G. RAMESH RAO
R/AT SOUKHYA BHARATHI HEALTH CARE LLP,
NO.353/1, 1ST CROSS ROAD,
1ST BLOCK, NEAR ASHOKA PILLAR,
JAYANAGAR, BENGALURU - 560 011.

...RESPONDENT

(RESPONDENT - SERVED)

THIS CP IS FILED U/S. 24 OF CPC PRAYING TO ALLOW THE CIVIL PETITION BY AN ORDER OF TRANSFER OF MATRIMONIAL CASE IN MC NO. 3073/2026 ON THE FILE OF

THE COURT OF THE VI ADDITIONAL PRINCIPAL JUDGE, FAMILY COURT, BENGALURU, BENGALURU SOUTH, BENGALURU, TO THE PRINCIPAL, FAMILY COURT AT UDUPI, 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 M.C.no.3073/2026 on file of Court of VI Addl. Prl. Judge, Family Court, Bengaluru, Bengaluru South, Bengaluru, to Principal Family Court, Udupi, this petition is filed.

2. Smt.Veena Santosh Kumar, appearing for Sri Sudesh Kumar Acharya, Advocate for petitioner submitted that marriage of petitioner and respondent was solemnized on 26.10.2023 in Koteshwara. Thereafter they resided together at Bengaluru, in course of which, a child was born. Due to subsequent matrimonial discord, petitioner was constrained to go back to her parents. It was submitted that while she was without any source of income or maintenance, respondent had filed M.C.no.3073/2026 before VI Addl. Prl. Judge, Family Court, Bengaluru, for restitution of conjugal rights. It was

submitted, petitioner was finding it difficult to travel from Udupi to Bengaluru and contest proceedings. It was submitted that this Court under similar circumstances had allowed various petitions for transfer on ground of hardship and sought for passing of similar orders.

3. Notice was ordered. Respondent has remained unrepresented, despite service.

4. Heard learned counsel and perused petition and material on record.

5. This petition is for transfer of matrimonial proceedings filed by wife.

6. 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 paramount consideration.

7. Perusal of petition at Annexure-B would indicate that respondent herein has mentioned address of petitioner as '*Udupi*', to substantiate, petitioner is residing at Udupi. Distance between Udupi and Bengaluru is more than 400 kms. Apart from above, petitioner is having a minor child. In view of above, contention of petitioner about hardship in attending proceedings at Bengaluru would stand substantiated.

Hence, petition is ***allowed***, proceedings in M.C.no.3073/2026 on file of Court of VI Addl. Prl. Judge, Family Court, Bengaluru, Bengaluru South, Bengaluru, stands withdrawn and transferred to Principal Family Court, Udupi.

To mitigate hardship to respondent a direction is issued to transferee Court to expedite proceedings.

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

HNM
List No.: 1 Sl No.: 27